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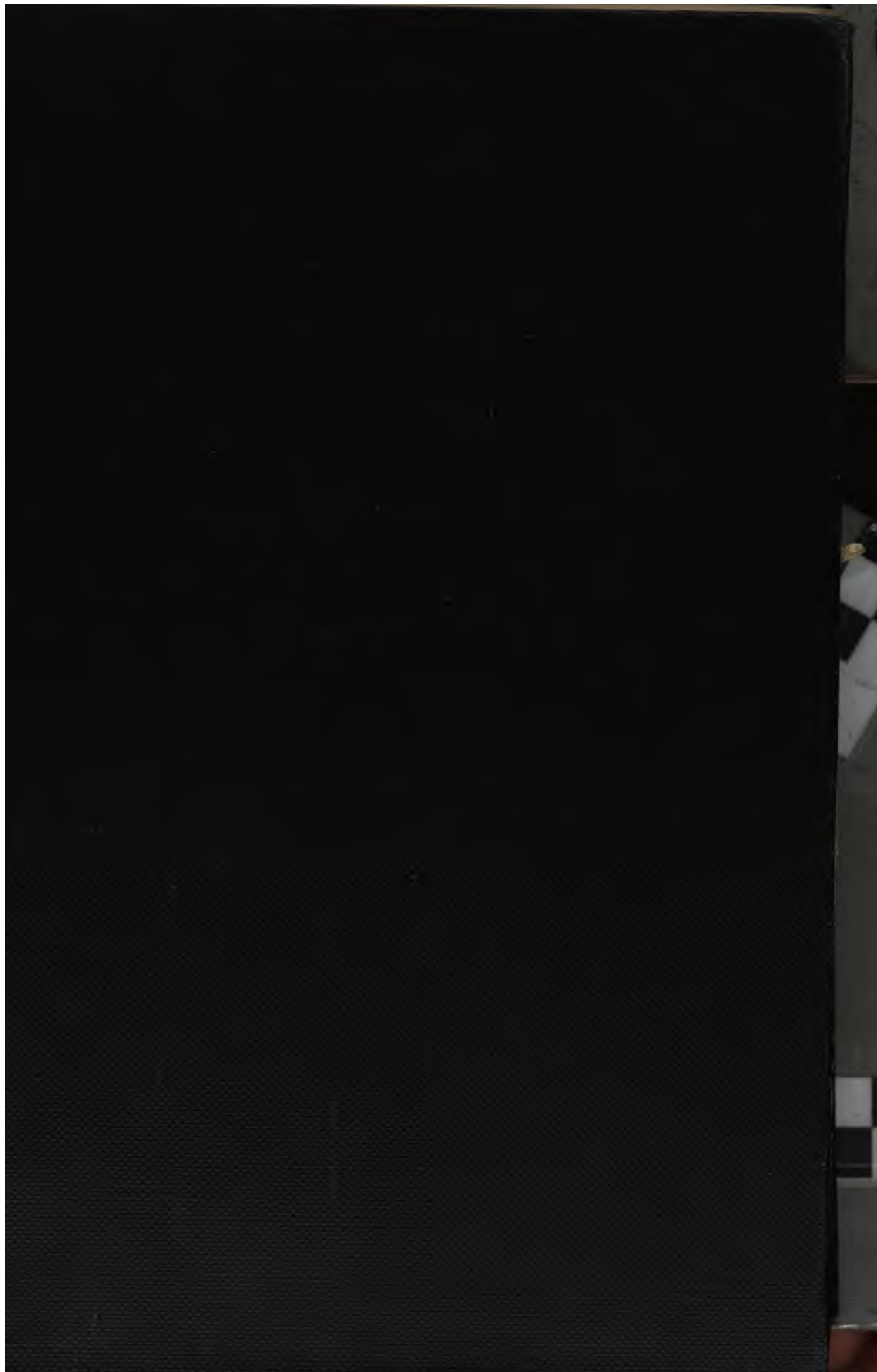
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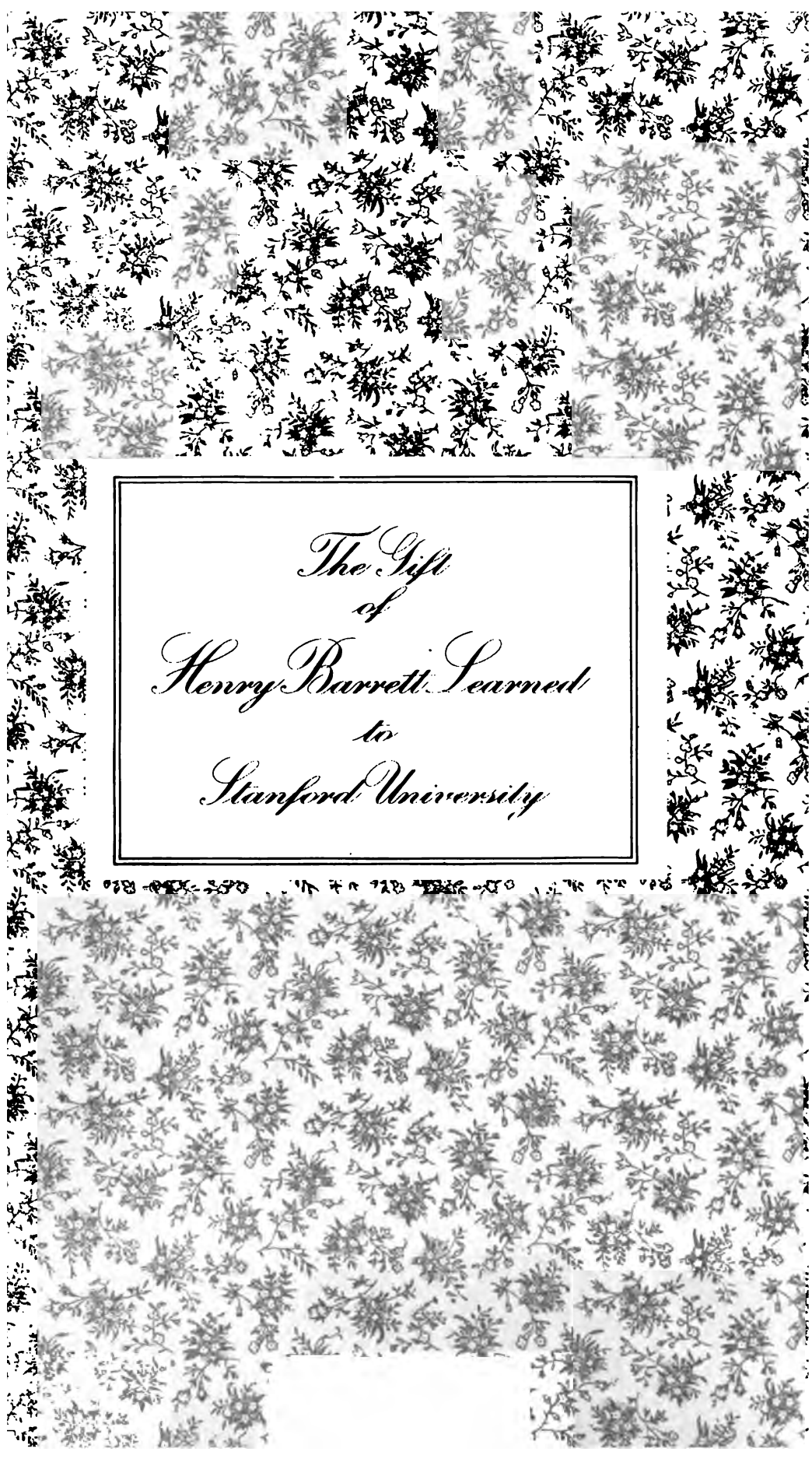
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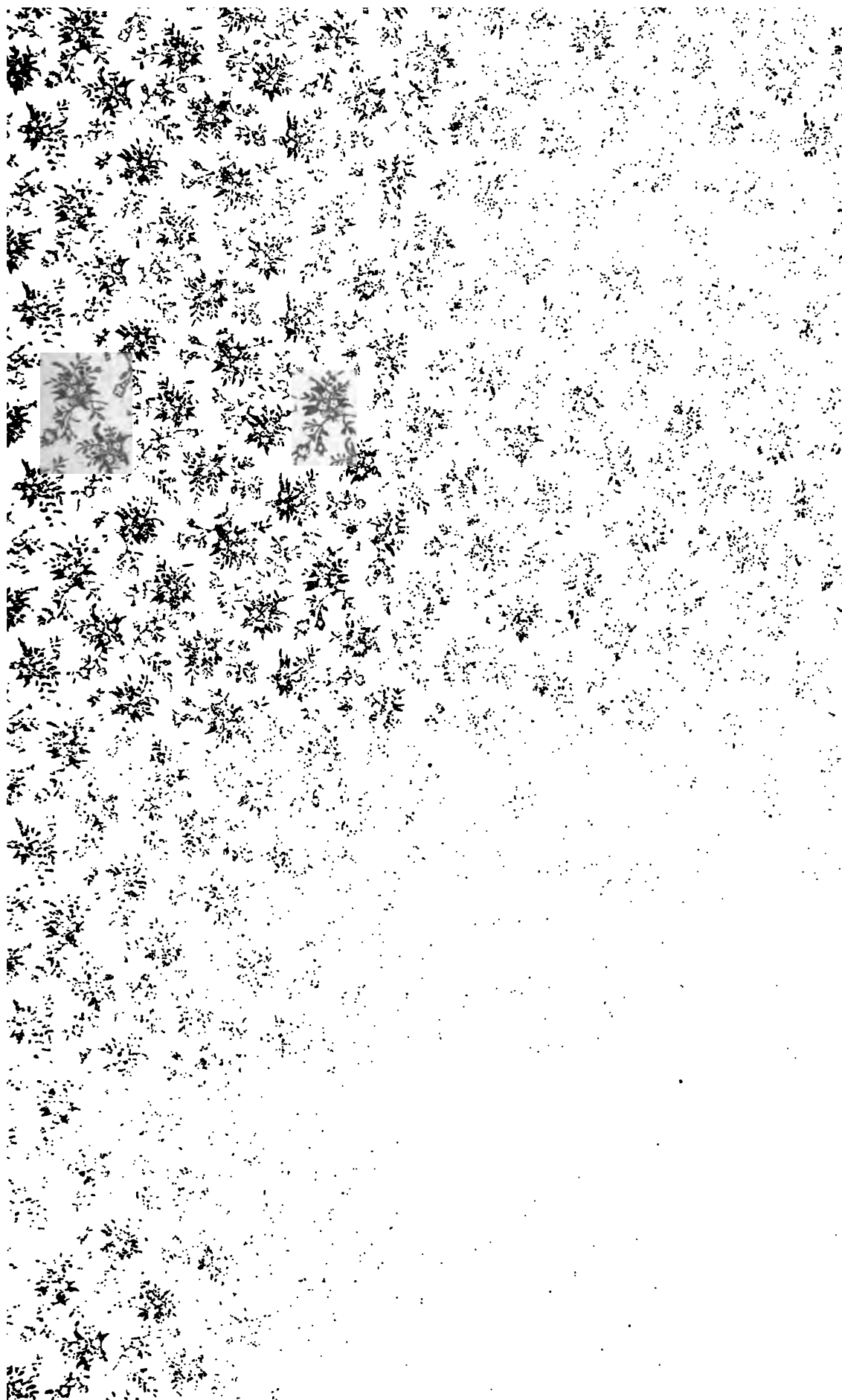
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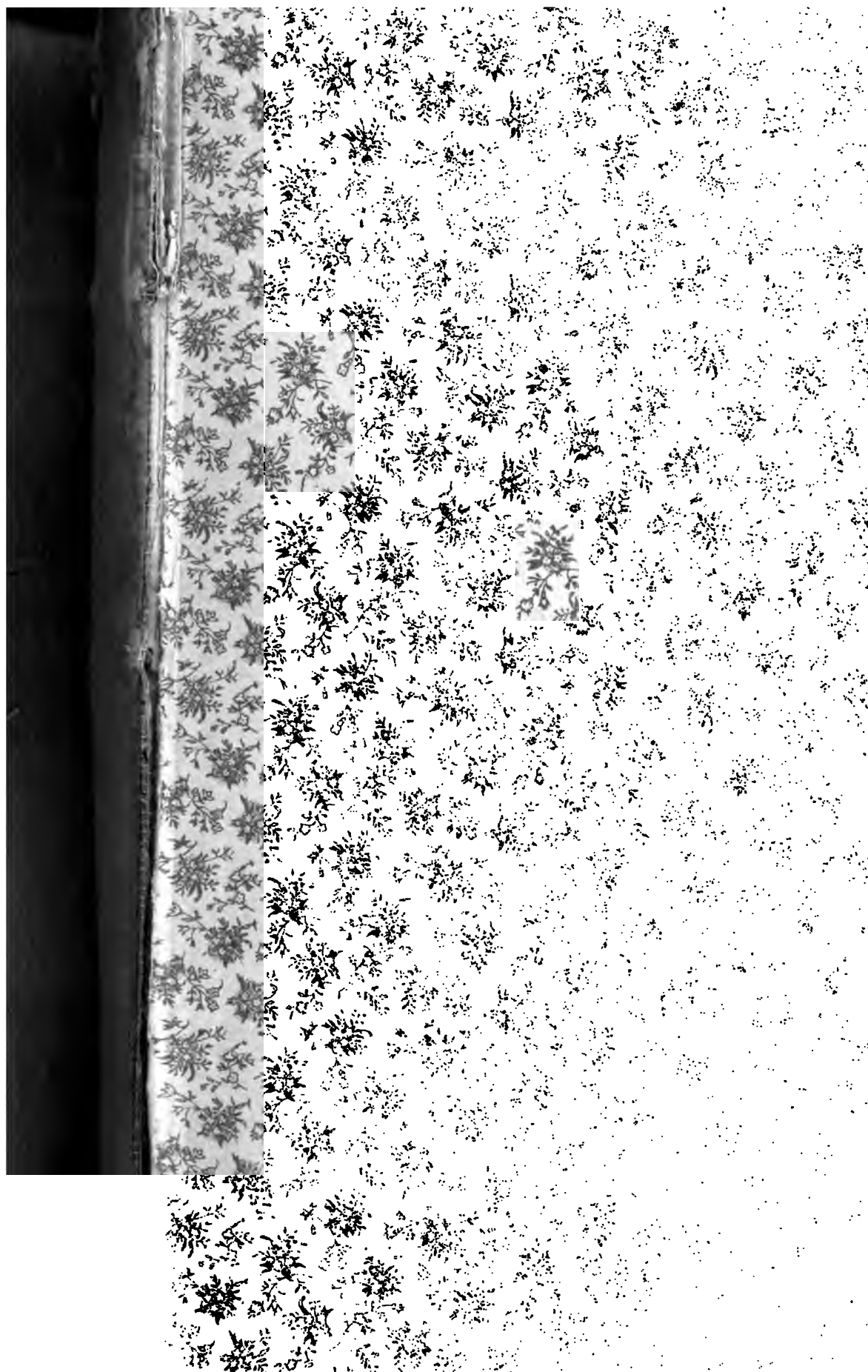






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THE  
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REVIEW

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VOL. VII

OCTOBER 1901 TO JULY 1902

**New York:**

**THE MACMILLAN COMPANY**

LONDON: MACMILLAN & CO., LTD.

1902



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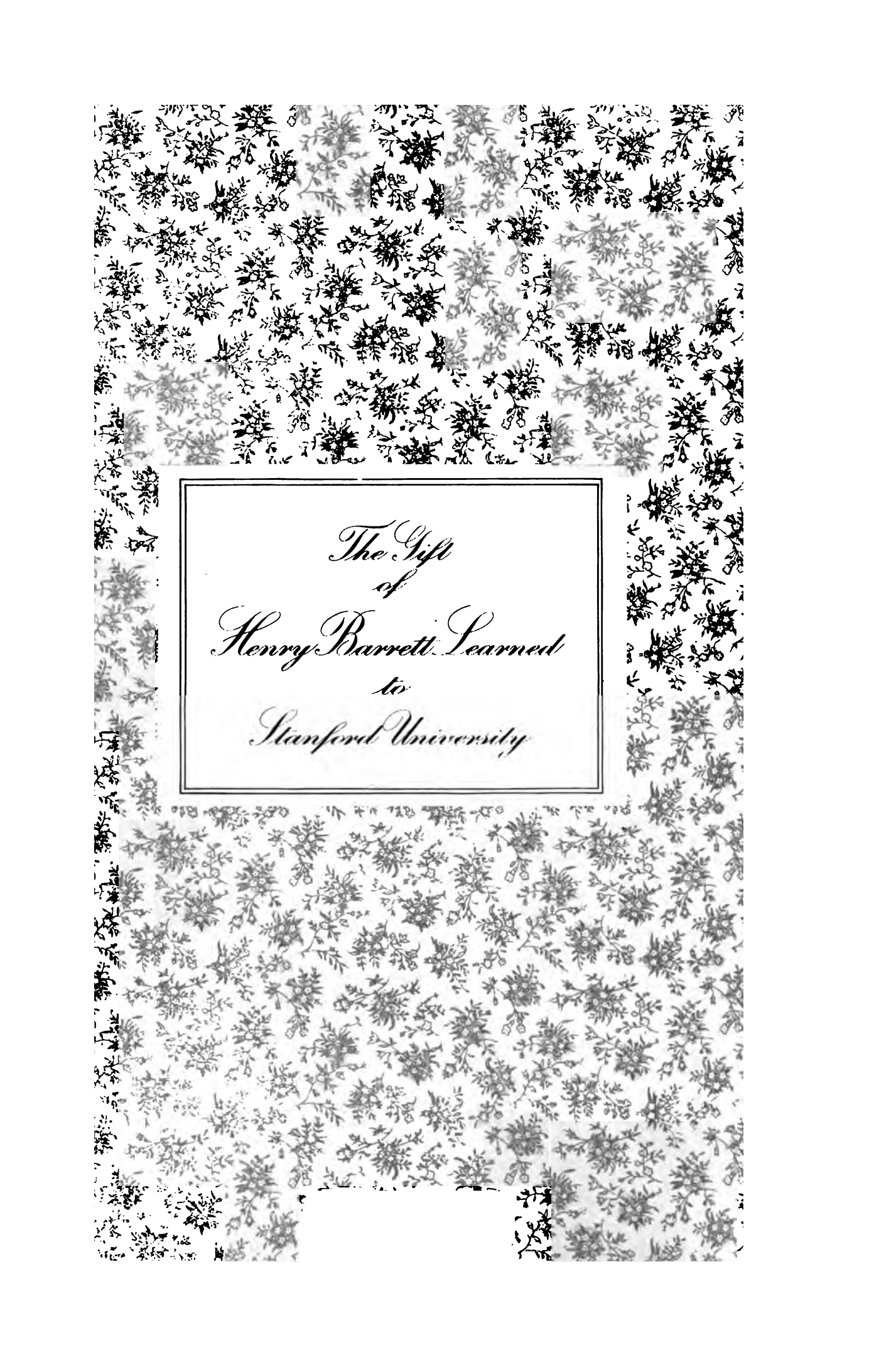
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the star-lit heavens, imply on the part of the writer something at least of the emotion which they awaken in us. The descriptions of the dreamer's sensations<sup>1</sup> and of the play of the wanderer's memory are wonderfully modern in their refinement and subtlety. Nor, if our ears tell us true, in spite of probable differences of pronunciation, is the metrical art in these poems inferior to their poetic excellence. Instances without number might be cited of what sounds to us the happy adaptation of the music of a passage to its sense. The lines describing Jupiter's nod of assent<sup>2</sup> is one of them.

To find a time and place before recorded civilization at which poetic art can have reached a height only once afterwards attained, is the Homeric problem, very interesting, and at the same time very tantalizing, since means of a chronological solution we have none. We can only hope to determine the political, social and aesthetic date.

The single authorship of the *Odyssey* is not much contested, and that of the *Iliad* seems to me hardly contestable. The patchwork theory, started by Wolf and carried to an extreme length by Lachmann, was the offspring of a Germany whose learning at that time was greater than her taste and judgment. The theory of Grote, who regards the *Iliad* as a nucleus with superadditions, is not the result of original investigation but is the Wolf-Lachmann theory in full retreat. Editorial patching in places there may have been. This was likely enough in the course of transmission and revision. It must surely be seen that the unity of the *Iliad* is not mechanical but organic; that the parts would bleed if torn asunder. Did one poet sing the quarrel between Achilles and Agamemnon, another its consequences, and a third their reconciliation? Did one poet write the part in which the Greeks were defeated, and another balance it by their success? Did one poet produce the Andromache of the sixth *Iliad*, and another re-produce her in the last? If the unity of the *Odyssey* is admitted, if it is impossible to suppose that one poet described Ulysses in Calypso's Isle yearning for his home, and that other poets carried him through a series of adventures to the fulfilment of his desire, why should we think a multiplicity of poets necessary to the production of the *Iliad*?

I almost as thoroughly believe in the common authorship of the two poems. The theme of the *Odyssey* is more romantic and less heroic than that of the *Iliad*, and the style is suitable to the subject. In the last books there is undoubtedly a falling off, which might be the natural consequence of exhaustion or old age. But even here such passages as the meeting of Ulysses with his dog Argos, and

<sup>1</sup> *Iliad*, XXII. 199-201.

<sup>2</sup> *Iliad*, I. 528-530.





and not more before his own time. Herodotus is a charming writer; he gives us an inestimable picture of Greek life; but of critical accuracy as to facts he has been abundantly shown to be destitute. To give one more instance, he makes the fleet of Xerxes lose upwards of seven hundred sail by battle or storm between its arrival at Sepias Akte and its arrival at Phalerum. Yet he tells us that the loss was made up by contingents from Carystus in Euboea, Andros, Tenos, and the other Cyclades; so that the number of the fleet at Phalerum was about what it had been on its arrival at Sepias Akte. Seven hundred sail from a little town and a few petty islands! The numbers of the army of Xerxes pass belief; the details of his march are evidently poetic, and the narrative of the battle of Marathon bewilders the commentators and will bewilder them to the end of time. Yet the invasion of Greece by Xerxes fell within the historian's life-time, and he must have had abundant access to contemporary information.

Four centuries seems a wide gap to be spanned. Comparing the language of Herodotus with that of Homer, and making due allowance for poetic form and license, it appears unlikely that there should have been so wide an interval between the two. There are perhaps in Homer from twelve to twenty words which are so archaic, that it puzzles the acumen of Buttmann to determine their meaning. There are peculiarities of inflection and syntax of which it would be difficult to say what proportions are archaic, poetic, or idiosyncratic. As to the use of the digamma, Monro seems doubtful. But the language is in all respects vitally the same as that of Ionian writers, and we can use the Homeric poems in our schools and colleges as a text-book of poetic Greek.

That there should have been any great tribal cataclysm after the composition of the poems seems therefore hardly possible. From the time of Homer to that of Pisistratus the continuity of race and language must apparently have remained unbroken. This it can hardly have done for four hundred years. Had a tribal cataclysm taken place, the invading tribe would hardly have adopted the heroes, legends, and ballads of the conqueror.

That the art of poetry, or any art, should have reached perfection, an unapproachable perfection, at a bound is incredible. There must have been a considerable period of preparation; and if we throw the date of Homer back to the dawn of Greek nationality, where is this period to be found?

Some assume that Homer does not mention writing, and hence infer that he lived before its invention. Had he any occasion to mention it? He surely, however, does mention it plainly enough.

He says<sup>1</sup> that Bellerophon was charged by Proetus with folded tablets wherein Proetus had written things full of deadly import. That such poems as the *Iliad* and the *Odyssey* might have been transmitted by memory is undeniable. Memory, it is truly said, would be stronger before the general use of writing; and even in our day we have had a man who could say by heart a great number of the plays of Shakespeare. The difficulty would be, not in the transmission without writing, but in the composition. How could the adjustment of parts, the elaboration of the plot, the touching and retouching which a work of high art implies, be performed without means of keeping the work before the composer's mind? Milton was blind when he composed *Paradise Lost*, but it would be written down from his dictation and read over to him for improvement and revision.

The political era of the *Iliad* is plainly fixed. It is the era of democracy lifting its head against nobility and hereditary rule. Thersites is the democratic agitator, hated by the bard who sings in royal or aristocratic halls, and who paints him a monster of ugliness most hateful to a race which adored beauty, as well as a paragon of moral vileness; exults in the chastisement inflicted on him, and makes the people sympathize with the chieftain who inflicts it, as he undoubtedly wishes the crowd in the agora would do. The passage is in spirit cognate to one in Theognis. It is not likely that the course of political events should have twice travelled the same round. The chiefs preside in the public assembly and lead, perhaps dictate, its councils; but there is a public assembly and the need of popular assent is felt. Public opinion is repeatedly personified by *τις*, as in the *Iliad* II. 271: "*ὦδε δὲ τις εἴπessκεν ἰδὼν ἐς πλησίον ἄλλον.*" Telemachus in the assembly of Ithaca summoned by him makes a direct appeal to the people. All this bespeaks a transition from monarchy and aristocracy to democracy, such as the Greek colonies in Asia Minor evidently underwent, and probably from their maritime and adventurous character, their novelty, and the volatile spirit which in Herodotus they exhibit, more rapidly than it was undergone by the communities of old Greece.

Oratory is greatly valued and has reached high perfection, which, without a popular audience, it could hardly have done. The description of Ulysses as an orator<sup>2</sup> indicates careful study of the art. Law is, like the Brehon law, traditional not statutory; justice is rudimentary, being administered by chiefs or elders who are jurymen as well as judges. But the Greeks never showed much apti-

<sup>1</sup> *Iliad*, VI. 169.

<sup>2</sup> *Iliad*, III. 216-224.

tude for jurisprudence; nor did they ever arrive at the separation of the functions of the judge from those of the jury. The Areopagus and the Heliaea were jury-courts without a judge, the Heliaea on a democratic footing and scale.

That Homer had predecessors, that his art did not spring into existence out of a void, we might be sure without his telling us. However, he tells us so himself when he prays to the Muse, to impart to him *also* his share of her lore: "τῶν ἀμύθεν γε, θεὰ, θύγατερ Διός, εἰπὲ καὶ ἡμῖν."<sup>1</sup> Both in the *Iliad* and in the *Odyssey*, but especially in the *Iliad*, he clearly assumes that the characters whom he is bringing on the scene are already known to his audience. Patroclus is introduced by him as "Menoetiades." He does not, before proceeding to sing the wrath of Achilles, tell you who Achilles was, who Agamemnon was, or what brought them together on the scene. The siege of Troy was evidently a theme as familiar to his audience as the siege of Jerusalem would be to the audience of Tasso.

Art in the Homeric poems is evidently ideal. The shield of Achilles utterly transcends anything of which relics have been left or that possibly could have been created in that, or indeed in any, day. But ideals are not found without some reality to suggest and support them. Aesthetic aspirations at all events were high. If with these advances toward intellectual civilization we are surprised at finding homicide prevalent and punished only as a private wrong by private vengeance, piracy and marauding licensed, a general reliance for security on the strong hand rather than on public law, no quarter given in battle, and such atrocities as the dragging of Hector behind the chariot of Achilles round the walls of Troy, the sacrifice of twelve Trojan captives at the funeral of Patroclus, or the hideous acts of vengeance committed by Ulysses in the *Odyssey*, we may bear in mind that in Italy contemporary with the divine artists, the famous writers, and the pioneers of science were the life of crime and violence depicted in the Memoirs of Benvenuto Cellini, the hunger tower, the torture-houses of the Visconti, the Borgias, and the Bravi. At Athens, in her most intellectual era, there is much savagery. The people vote the massacre of the whole of Mitylene; they actually massacre all the Mitylenians who had come into their own hands. They massacre the Melians for simply standing a siege. The factions at Corcyra behaved like Red Indians. Human sacrifice had ceased, but the existence of the word *φάρμακος*, a scape-goat, shows that it had not been unknown at Athens. The license of piracy when exercised against foreign ships was prolonged well into historic times.<sup>2</sup> Alexander, the much adored, not only

<sup>1</sup> *Odyssey*, I. 10.

<sup>2</sup> Herodotus, I. 166.

emulated but greatly surpassed the atrocious treatment of Hector's body by Achilles, when he dragged the living Batis, with holes bored through his feet, behind a chariot driven by himself amidst the acclamations of his army.

The relation of the Greeks in the *Iliad* to the Trojans and their Asiatic allies is remarkable. The Asiatics are enemies, and they are inferior to the Greeks in military discipline; but they are not barbarous or objects of contempt; far from it. Priam, Hector, Aeneas are perfectly on a par with their Greek counterparts. The parting of a Trojan chief from his wife is the subject of the most beautiful picture in the *Iliad*. Troy is the peculiar object of regard to the Hellenic Zeus. Athene is worshipped in Troy. Language is no barrier between the Greek and the Trojan chiefs. Paris, the guilty author of the war, is a gay Lothario, rather contemptible but not hateful, on the contrary amusing and attractive in his way. The Greek Diomed and the Asiatic Glaucus are bound by an ancestral tie of friendship to each other. This would seem to accord pretty well with the relation of the Greeks to the Lydian dynasties as depicted by Herodotus. Two chiefs of the Trojan alliance, Aeneas, chief of the Dardanians and Sarpedon, chief of the Lycians, are sons of Hellenic deities; Aeneas of Aphrodite, Sarpedon of Zeus. In the Dardanian dynasty Homer evidently felt a local interest. From Strabo's account of the Lycian Confederation it would seem that the Lycians were Hellenized. This could hardly have taken place in a very prehistoric age.

It has been said that iron is scarce in Homer and that he therefore belongs to the copper age. Copper is the prevalent metal and the material of armor; but iron does not appear to be very scarce.<sup>1</sup> The proverbial phrase "iron heart"<sup>2</sup> seems also to show familiarity with iron. The axles of the chariots are of iron; the clash of battle is described as "*σιδηρεως ὀρρημαγδός*."<sup>3</sup> Little, therefore, can be based in this case on the metallic distinction of eras.

Homer tells you distinctly that his story belongs not to his own age but to an heroic age that is passed. The men of his own time are degenerate; they cannot wield such weapons as the heroes wielded or hurl such stones as the heroes hurled.<sup>4</sup> To what extent the reproduction of the past goes we can hardly divine. But the war of single combats is pretty clearly a part of it. In Virgil, through the descriptions of the camp of Aeneas, Roman castramentation is seen. In the *Iliad*, beside the chivalrous war of single

<sup>1</sup> *Iliad*, XXIII. 834.

<sup>2</sup> *Iliad*, XXIV. 205, 501 and elsewhere.

<sup>3</sup> *Iliad*, XVII. 424.

<sup>4</sup> *Iliad*, V. 304 and XIX. 389.

combats, we see the republican phalanx marshalled and moving in serried order to battle, though when brought upon the field it seems for the most part to stand at gaze while the chieftains on both sides come forward, in the fashion of an age of chivalry, to encounter each other. Perhaps the Gargantuan feasts with their enormous masses of meat, strongly contrasted with "light Attic fare," belong also to the heroic past. The prediction that the descendants of Aeneas should reign in Dardania<sup>1</sup> is evidently history in the guise of prophecy and throws back the heroic founder of the line to an age far anterior to that of the poet.

Homer's ships are more intensely real than his horses. About the horses there is a good deal that is mythical. Some of them are of divine lineage. They talk and weep. Andromache gives Hector's horses wine as if it were a familiar practice. The ships on the other hand are intensely real. Homer evidently revels in everything nautical; in the details of ship-building, in the handling of the galley, in the even sweep of her oars, in her bounding over the dark blue wave which roars round her as she speeds upon her way.

“ἐν δ' ἄνεμος προῆσεν μέσον ἱστίον, ἀμφὶ δὲ κῆμα  
στεῖρῃ πορφύρεον μεγὰλ' ἔαχε νηὸς ἰούσης·  
ἦ δ' ἔθενε κατὰ κῆμα διαπρήσσουσα κέλευθον.”<sup>2</sup>

The broad-built merchantman (*φορτίδος εὐρείης*)<sup>3</sup> is distinguished from the swift galley showing an advanced state of naval construction. The descriptions of the sea and nautical similes are always full of intense life. This designates the writer as a native of one of the maritime colonies in Asia Minor.

It would seem that religious faith in Homer's time was in an advanced stage of decay, and was giving way to a light scepticism which permitted fun to be made of the deities. We are prepared for a good deal in the way of sincere anthropomorphism, as well as of moral obliquities in gods made by man after his own image. But can we suppose that an intellect of such depth as that of Homer is not making fun of the deities when he represents Zeus as gaily recounting to Here his wandering loves, and as challenging the whole pantheon to a "tug of war"; when he makes gods cuff each other or be wounded by men; when he tells us the story of Ares and Aphrodite committing *crim. con.* and being captured by the injured Hephaestus amid the general laughter of Olympus? Formal reverence is still paid to the gods, and they are acknowledged as up-

<sup>1</sup> *Iliad*, XX. 308.

<sup>2</sup> *Iliad*, I. 481-483.

<sup>3</sup> *Odyssey*, V. 250.

holders of the right and avengers of wrong. The belief in omens still prevails, and is used for a poetic purpose ; but Hector is made to say that he cares little for them and that the best of all omens is to be fighting for one's country. The freedom of personification which produces such beings as Ate, Eris, and Litai (prayers) also looks like a sign of a mind little trammelled by belief in the pantheon. Here again we surely find ourselves in contact with an age of thought far from primeval, as well as with the light and sceptical spirit of the Asiatic Greek.

The Catalogue of the Ships, as it is called, remains a puzzle on any hypothesis, and a puzzle on any hypothesis it is likely to remain. Of all passages in the *Iliad* it is the one most easily detached, and the one the authenticity of which is most questioned, though its character seems to me to be Homeric. The poet appeals to the muses for his knowledge of the facts, and the muses only could have imparted to him the mythical muster-roll of the mythical fleet of Agamemnon. Its ethnography extends to the Asiatics as well as to the Greeks. It describes the Peloponnesus as it was before the Dorian invasion, a group of old Greek principalities under a sort of suzerainty of the Lords of Mycenae, without Dorian ascendancy or the Dorian Sparta. Whether its ethnography is correct or is as loose as Homer's topography of the Troad, we have no means of ascertaining. He was not a cartographer, but a highly imaginative poet. A refugee from the Dorian invasion might naturally speak of the land of his origin as it was before the conquest. But on this point we are in the dark and in the dark we are likely to remain.

All dates before the first Olympiad (776 B. C.) are uncertain, among the rest that of the Dorian invasion of Peloponnesus, dislodged by which, and perhaps by other tribal disturbances, Greeks, carrying with them the civilization which has left its monuments at Mycenae, emigrated to the coast of Asia Minor and there founded little maritime commonwealths.

There can be no doubt that the author of the *Iliad* was a denizen of the north coast of Asia Minor. The north and west winds blow to him from Thrace.<sup>1</sup> He plainly claims a personal knowledge of the Troad :

ἔστι δὲ τις προπάρειθε πόλιος αἰπὲρ ἄρα χολώνη.<sup>2</sup>

The perpetuation of the dynasty of Aeneas seems also, as has been said, to be a local touch. In the *Odyssey*, speaking of Ithaca and the adjacent islands, Homer is evidently beyond the range of his geographical knowledge. His slighting mention of Miletus as in the

<sup>1</sup> *Iliad*, IX. 5.

<sup>2</sup> *Iliad*, II. 811.

hands of Carians, which, however, it had been before the Greek invasion of Asia Minor, seems to indicate that he belonged, not to the Ionian, but to the Aeolian, settlements, though he might be familiar with both, and by his intercourse with the Ionians afford them ground for claiming him as a denizen.

The siege of Troy would be a natural subject for a poet belonging to one of the maritime cities of Asia Minor whose land had been won in war from the Asiatics. Equally congenial to him would be a story of maritime adventure such as that which is told in the *Odyssey*. But whether Homer was an Aeolian or an Ionian, it would seem that the perfection of his art, the advance of national culture which the existence of such art implies, the refinement of his sentiment, the picture of civilization which he presents, and his treatment of the popular religion, point to a later date and one nearer to the Ionian lyricists and philosophers than Herodotus believed or is generally supposed. Settle the question as we will, however, the Homeric poems are miracles, and so is Greek art. Phidias is hardly less miraculous than Homer.

GOLDWIN SMITH.



## ANGLO-SAXON FEUDALISM

IN no country of Europe did the feudal system exert, either on public or private law, a more profound or more permanent influence than in England. In regard to public law it is enough to refer to the fact that the controlling principle which created the English limited monarchy was found in feudal law, or to this that the organization of the English judicial system of the present day bears plainly the marks of its feudal origin. In the field of private law it is doubtful if there is any country, certainly not any entire country, where the principles of feudalism were so thoroughly and so logically applied to the land law as in England, and it is an interesting fact that in some of the United States after a lapse of six hundred years considerable trouble and expense may be occasioned by statutes framed in England at the end of the thirteenth century to protect the interest of the feudal lord, if the writer of a conveyance is careless in the form of words which he uses.

Since this is the case it is important to know—hardly any merely historical question is more important in fact—when and under what circumstances the feudal system entered English history. Was it an indigenous product? Was it introduced fully formed at a certain date from abroad? Are both these suppositions in part true? Was the feudal system in process of formation in England when that natural growth was cut off by the grafting upon it of a more complete system which had grown up elsewhere, a system that differed from the native English only in being more perfectly developed?

Professor Maitland's *Domesday Book and Beyond* seems to give an answer to these questions which strongly supports the theory that the feudal system was forming in England before the Norman Conquest, or one at least which tends to shake the faith of those who have held that feudalism was first introduced by the Conqueror. It would be improper to consider Mr. Maitland's book an argument for the existence of feudalism in Saxon England. It is rather a full statement of the facts as he finds them in the records with some explanatory comment and the raising of various questions suggested by them which are for the most part left without definite answer. The book is a fine example of undogmatic scientific work, much less dogmatic than most men would have made it. It does, how-

ever, unquestionably create the impression that institutionally the Conquest made no really important change, that it introduced no important practical differences, but that at most it brought in institutions which were not different in kind but only some stages further along in a development which had been long under way in England itself.<sup>1</sup>

The argument for Anglo-Saxon feudalism which is presented in this limited way rests upon the existence before the Conquest of three groups of institutional facts: dependent tenures, private jurisdictions, and military service as an element in land tenure. The special question here is this: if we grant the existence of these facts in Saxon England have we admitted the existence there of the feudal system proper, as it existed in England at the end of the eleventh century, less fully developed in the earlier time perhaps, but institutionally the same system? Have we admitted that that development was going on there which, advancing more rapidly in the Frankish state, had produced completed feudalism two hundred years before the Conquest, and which if left to itself would have produced the same system in England? Have we admitted that the Conquest introduced nothing which was new in principle but merely principles more logically worked out?

The answer we give to this question will depend largely on the meaning we attach to the word "feudalism." This word is used at present as many words in its own medieval vocabulary were used, in a narrow and technical, and at the same time in a broader and more general sense. We sometimes mean by it the special system

<sup>1</sup> "And thus we see already a feudal ladder with no less than five rungs." *Domesday Book and Beyond*, p. 155.

"Feudalism was not perfected in a day. Still here [the five hide system] we have the root of the matter . . . ." P. 159.

"We are not doubting that the Conqueror defined the amount of military service that was to be due to him from each of his tenants in chief, nor are we suggesting that he paid respect to the rule about the five hides, but it seems questionable whether he introduced any very new principle. A new theoretic element may come to the front, a contractual element:—the tenant in chief must bring up his knights because that is the service that was stipulated for when he received his land. But we cannot say that even this theory was unfamiliar to the English." P. 160.

"Whether a man who will lose land for such a cause [failure of military service] shall be said to hold it by military service is little better than a question about the meaning of words. At best it is a question about legal logic." P. 295.

"Dependent tenure is here and, we may say, feudal tenure, and even tenure by knight's service, for though the English *cniht* of the tenth century differs much from the knight of the twelfth, still it is a change in military tactics rather than a change in legal ideas that is required to convert the one into the other." P. 309.

To the interesting and suggestive introduction to Essay II, pp. 220–226, no exception can be taken since it is made entirely clear that the subject is feudalism in the wide not in the institutional sense.

of ideas and law relating to fiefs and to the services by which they were held which prevailed in the European world between the ninth and the fourteenth centuries. Sometimes we include in the term everything which seems characteristic of that society from top to bottom—the arithmetical sum total of its peculiarities, without distinction of origin or relationship. In this latter sense serfdom is as truly a part of feudalism as the system of fiefs; in this sense we find feudalism wherever some of these characteristics are to be found—in Japan, in some Mohammedan states, in various African communities of the present day,<sup>1</sup> without inquiring whether the institutions of feudalism in the narrower sense occur in these places or not.

But in the study of medieval institutions should we not raise the question whether sharper distinctions than this are not possible and necessary?<sup>2</sup> Must we not seek to determine more specifically the source of the determining features of the age and of its most important permanent influences in history? Is it not possible that the peculiar economic and political conditions which prevailed over Europe from the fourth century to the tenth produced a number of groups of peculiar institutional forms adapted to meet the more or less permanent needs of different sorts which arose from those conditions, and often in appearance closely related to one another; that some of these forms speedily perished; that others survived and passed on to later times; that among those surviving was one group of institutions which, by the importance of the relationships and of the classes which it primarily concerned, at once obtained a controlling position in the age that followed its origin, drew under its influence and moulded into a great system the other institutions that had survived like itself, and stamped its impress upon all the features of an age which we call the age of feudalism because this dominating and controlling element was the feudal system proper, the system in which the fief was a fundamental element?<sup>3</sup>

<sup>1</sup> Japanese feudalism is often referred to. On Mohammedan see Von Tischendorf, *Das Lehnwesen in den Moslemischen Staaten*. Leipzig, 1872. On African see Herbert Spencer, *Descriptive Sociology*. Vol. on Africa, Tables XXI., XXVIII., and XXX.

<sup>2</sup> "Eben solche Institutionen aber, die weit über den ursprünglichen Boden der Entstehung hinaus ihre Wirkung erstrecken, verdienen vor allem in ihren oft dunklen Anfängen und auf den ersten Stufen der Entwicklung, so vollständig und so scharf wie möglich ist, ermittelt und festgestellt zu werden: es gilt zugleich das Charakteristische zu erfassen und der Mannigfaltigkeit der Thatsachen, die sich allmählich in bestimmtere Formen fügen, gerecht zu werden." Waitz, *Deutsche Verfassungsgeschichte*, Bd. IV. p. 361.

This paragraph follows immediately those quoted at the end of this article.

<sup>3</sup> Feudal comes of course from *feudum*, fief, and the fief was normally an estate held by this sort of tenure, and in strictness feudalism is the system of such estates and tenures only. That the word "fief" was in England applied to all freeholds ought not to confuse us as to its real meaning. It is quite possible that this was a usage transferred from

That this was the fact is at least the underlying assumption of this article, and its special thesis is that those characteristics of feudalism in the wider sense, which Mr. Maitland has shown, more clearly than any one before him, to have existed in Saxon England, are not in the line of the ancestry of feudalism proper. They are to be classed among the other products of the pre-feudal age, the products which disappeared, or if they survived were brought under the influence of feudal ideas and into the system which these controlled. The manor for example appears to be a characteristic feudal institution because feudalism, coming into existence alongside the manorial system, though from a different and independent origin, and finding this method of exploiting a great estate perfectly adapted to certain fundamental needs of its own, seized on it and interpreted according to its own ideas forms and processes which had been originally in no proper sense feudal.<sup>1</sup> This must not be understood

Normandy where it also prevailed, and that it was a result of the logical completeness of feudalism in that country. There was a similar use of the term locally elsewhere for tenures not strictly feudal, as in Brittany and Toulouse. See Glasson, *Histoire du Droit et des Institutions de la France*, Tome IV. pp. 285-6. If we follow, however, the suggestion made in the chapter on Norman Law in Pollock and Maitland's *History of English Law*, that this was a "generalization" not yet consciously reached in Normandy, but arrived at in England as early as the Domesday Book, it must have been brought into consciousness there not by the actual facts of tenure, but by the treatment of the conquered lands, and the body of facts, the data of experience, to which reference was made for the explanation of this treatment, must have been in the main Norman and not English. The rapid feudalization of England by the act of the king would force the theory into attention, perhaps as accounting for the king's right, at any rate as explaining the process, but it is not a generalization in the sense that it is a legitimate inference from the facts as they ever existed anywhere. It is rather a generalization of the purely theoretical sort, one which states the ideal, and it is a more logical form of the notion which prevailed in parts of France and Germany that the great allods must be really fiefs, held according to one explanation of God and according to another of the sun. It is indeed the same idea as that expressed in the later French maxim, *Nulle terre sans seigneur*, and in both cases alike whatever conformity to this theory there ever was in the facts was due to the lawyers. It was the effort, more or less conscious, to realize this theory in the facts or to see it in previously existing arrangements, which extended feudal ideas, and especially the feudal vocabulary, into spheres not originally belonging to them, most of all into lower spheres.

<sup>1</sup> It seems necessary to take an appeal from Mr. Maitland's idea of what constituted a manor as stated in *Domesday Book and Beyond*, p. 120—"A manor is a house against which geld is charged," of which see Mr. Round's criticism in the *English Historical Review*, Vol. XV., p. 293—to his opinion as expressed in 1888, in *Select Pleas in Manorial Courts*, *Selden Society*, p. xl. In speaking of the manor of the thirteenth century he says: "What as yet gave it its unity was rather economic practice than legal doctrine. It was an estate which could be and was administered as a single economic and agrarian whole. When men spoke of a manor, they thought primarily of the single group of tenants who worked in common at their plowings and their reapings, of the single hall or manor house whose needs were supplied, whose larders and garners were filled, by the labors of this group. An estate too large or too scattered to be managed in this way would not, according to the common use of words, be a manor." And, we may add, no matter how small an estate was, if managed by itself and as an independent economic unit, it might be called a manor. No other statement than this of what a manor was in

to mean that the term feudal is improperly applied to the wider range of institutions, if we understand clearly the use we make of it and are led to no confusion of mind thereby. But it does mean that those institutions do not properly belong to that special system which makes the middle ages distinctively feudal, as the great feudal age in the history of the world, to the system from which the most important legal and institutional consequences followed in England and elsewhere, but that they belong either to systems which were gradually supplanted by feudalism proper, or which were clearly distinguished from it in the days of its supremacy as different and subordinate systems.

1. In the matter of dependent tenure, the tendency is almost irresistible to regard all forms of dependent tenure as alike feudal. In the wide sense already explained it is proper enough to call them so, at least after feudalism is fully established. No fact is more characteristic of the age when feudalism was at its height than the great variety of these tenures. They are essential to our conception of the feudal society from its highest ranges to its lowest, and it is necessary to consider whether all these dependent tenures were in reality feudal in the institutional sense of the term; whether the development of dependent tenures of any kind means a growth towards feudalism. When we seek for light upon this question, two facts at once strike us as very suggestive.

First, that while great variety of tenure is just as characteristic of the earlier age out of which feudalism is seen slowly emerging, as of the feudal age proper, it is from one group of these earlier tenures only that this emergence takes place; only one particular kind of ante-feudal dependent tenures grows into the feudal proper.

Second, that in the feudal age itself while all tenures have certain important features in common, a clear distinction is drawn, clear to the men of that time at least, between certain which are feudal proper, and two other classes which are not.

It is not necessary to take space here to prove the first of these propositions. The proof has been repeatedly made, perhaps in its most complete form by Fustel de Coulanges, in his *Institutions Politiques de l'Ancienne France*, but though he carries the line of descent further back, his conclusions on this matter do not differ in

the feudal age, of the purpose for which it existed, of the test which distinguished it from the non-manor, will satisfactorily explain all the facts—such facts, for example, as the formation of one manor within another, of the union of two manors together, or the attachment to a manor of outlying bits of land not formerly belonging to it, all apparently at the sole will of the proprietor. It is the efficiency of administration, the economic convenience, or the economic relationship to a given person, which are the controlling considerations.

any essential particular from those of Waitz, less plainly stated, or from those now universally accepted. The tenure called *precarium*, originating in Roman days, modified greatly in character in its extensive use by the church, widely extended in practice as a means of protection in the turbulent days of the founding and ordering of the Frankish state, became at last the direct ancestor of the feudal tenure proper<sup>1</sup> because it was resorted to by the Carolingian Mayors as the means of providing for the change in military tactics which was forced upon them by the attack of the Arabs in the eighth century.

But it is perhaps necessary to emphasize the fact that the feudal system was not created by any development whatever of this *precarium* tenure along the natural lines of its own development. To the end of time it would not have created feudalism if left to itself. It might have grown into something which could have been properly called a feudalism, as we speak of the feudalism of Japan, but it would have been institutionally, in form and consequences, quite different from the actual, historical feudalism of western Europe. It was because peculiar circumstances in the Frankish state made it essential to the safety of the state to combine with this institution another, of a personal and not of a property character, which had had a different origin and a different history, to combine these two quite different institutions together as the two sides of a single and really new institution, mainly political, not economic in character, that feudalism arose.

The second of these propositions, that a clear distinction was made in feudal times between certain tenures properly feudal and two other classes which were not so regarded, appears at first sight more difficult to maintain. Were not all forms of dependent tenure

<sup>1</sup> Fustel de Coulanges, *Les Origines du Système Féodal*, Chaps. I-VII; Waitz, *Deutsche Verfassungsgeschichte*, II. 1, pp. 290-305; Brunner, *Deutsche Rechtsgeschichte*, II. pp. 246-251; Dahn, *Könige der Germanen*, VIII. 2, p. 89. These are in practical agreement on all essential points.

On almost all the important problems of the origin of the feudal system which have been the subject of so much controversy in the past, a fairly uniform and definite body of opinion has now been formed as a result of the studies of the last twenty-five years. One who wishes to get a clear idea of what this is, confused as little as possible by the comparatively minor points still more or less in dispute, can do it best by putting together the accounts of the origin of feudalism given in those most useful manuals of legal and institutional history, Esmein's *Cours Élémentaire d'Histoire du Droit Français*, and Schroeder's *Lehrbuch der Deutschen Rechtsgeschichte*. Esmein's account of later feudal institutions is also to be highly recommended as the best brief description of feudalism which keeps clearly distinct the strictly feudal, and the non-feudal characteristics of the age. The purpose of the present article does not go beyond the comparison of Mr. Maitland's results with what may perhaps be called the orthodox doctrine of the origin of the feudal system.

as they existed in the eleventh century considered alike feudal? They were so in the popular and wide sense of the word and in that only. Institutionally there were three well marked classes of tenures which the men of that time had no difficulty in distinguishing as classes: feudal, common freehold, and servile.

To the men who worked the feudal machinery the distinguishing mark of the feudal tenure was, that it was upon condition of honorable service. It was not necessary that the thing held should be land. It might be any object of real value or any to which a fictitious value could be given. It was not necessary that the service should be military, though this was so commonly a required service that it was usually taken as the typical one,<sup>1</sup> especially in the phrases knight's service or knight's fee. The one requirement was merely, as in the *patrocinium* contract, quoted below, that it should be service worthy of the free man, the vassal being distinctively *the* free man of feudal days. With this proviso it might be of any sort, and was of great variety, sometimes nominal only.

With this distinction a sharp line was drawn between the feudal tenures proper and the servile. In one respect indeed, no one thinks of confusing these, that is, in the personal position of the holders. But it is important for the present purpose, to notice that the difference in the tenures themselves, leaving the holders out of account, was not one of degree but one of kind, one created by difference of determining cause and purpose, and by difference of origin. In the servile tenures the controlling cause and purpose was purely economic. No other consideration entered into the case. In the feudal proper, the typically feudal, economic considerations were entirely disregarded and those that prevailed were political, drawn from the sphere of public relations. The three chief duties of the vassal, military service, court service, and allegiance, were distinctly public duties transformed into private obligations. As to origin, historically the servile tenures were in existence and presented most, at least, of their characteristic features when the feudal tenures had scarcely begun to form.<sup>2</sup> Legally the feudal tenures originated in a lease, a contract; the servile in the permitted or enforced occupation of a piece of land to be cultivated by the slave in lieu of the general servile labor which the master might demand. Equally significant is the fact that in many parts

<sup>1</sup> *Debet sequi curiam de Broughtone ad rationabiles summonitiones, et facit aliud servitium militare.* Ramsey *Cartulary*, I. p. 413.

<sup>2</sup> This has been shown with abundance of proof covering the whole manorial organization by Fustel de Coulanges in the volume of his *Institutions* entitled *L'Alleu et le Domaine Rural*. See the same conclusions briefly stated, Brunner, *Rechtsgeschichte*, I. 212.



of Europe the servile tenures existed with unchanged functions and results centuries after the feudal proper had entirely disappeared or had lost all their original meaning.<sup>1</sup>

Beyond any doubt the great class of dependent tenures which were servile in character must be regarded institutionally as non-feudal. It is impossible to reason from their growth, their forms, or their characteristic incidents to the feudal. They do not grow out of feudalism nor does feudalism grow out of them. The two systems affected one another, indeed, only as two great systems prevailing in the same society would be likely to do, only as feudalism affected the ecclesiastical organization. The whole manorial system would have prevailed without essential difference if the feudal had never arisen, and the feudal derived no necessary support from the manorial, no support which it could not equally well have derived from arrangements different in kind.

Between the feudal tenures proper and the servile, lay another class of tenures about which it is necessary to speak with more reserve. Certain facts about them are clear. They were described by one of the terms often used of the feudal tenures; they were freeholds. Their holders like the vassals proper were free men. A part of the services by which they held their lands were like a part of those by which the vassal held his, or better, perhaps, by which he might hold some portion of his land. These tenures shade off by imperceptible gradations into those above and below them, especially into the feudal proper, so that it is often difficult for us to distinguish between the two. Often we find that the records of jurisdictions which, in the wide sense at least, we may call feudal seem to draw no line between them, and gradually the state, developing new institutions which were anti-feudal in character and whose range of action was continually widened by the monarchy, tended to confuse the distinction from another side.<sup>2</sup>

<sup>1</sup> Says Esmein, p. 684, in beginning his description of the legal condition of lands in modern France: "Parmi les tenures féodales [in the wide sense], il en est qui se maintinrent à peu près telles que nous les avons décrites aux XIII<sup>e</sup> et XIV<sup>e</sup> siècles; ce sont les tenures roturières et serviles. Les premières avaient acquis alors la pleine patrimonialité, les secondes ne devaient jamais l'acquérir. Mais le fief subit de nombreuses et importantes modifications." See also Schroeder, *Lehrbuch*, pp. 779-787, and the references to the literature there given.

<sup>2</sup> It seems more than probable that the personal freedom of the holder, not the character of the holding, is what accounts originally for the features common to these tenures and the feudal proper. The man is personally free and a part of the same local political organization with the holder of the manor. His small farm has been drawn into the manorial organization by his economic dependence, or by his need of protection in turbulent times, or he has himself taken a holding formed in the manor, but in either case on a footing different from those who hold servile tenures in the manor. He thus stands from the start in a double relationship. The causes which have created his holding draw

On the other hand it is equally evident that a distinction was clearly made and understood in feudal times between these two classes of tenures as classes. There might be question as to individual men or individual holdings in the border land between the two, but there was none as to the broad distinction. It might be that less emphasis was laid on this difference in England than on the continent, because it had much less practical importance there and because the growing institutions of the general government were more directly opposed to it, but it was not the less recognized. The test applied for practical purposes here was the same as in the first case, the character of the service rendered. The feudal was honorable service, knight service, military service. The villain's was servile service. That of the common freeholder was neither quite the one nor the other, but partook imperfectly and in part of both characters. It approached on one side the higher ranges of servile, on the other the lower ranges of honorable service, or more accurately in the latter case, certain public functions which the common freeholder was still called on to perform allied him personally with the feudal class, and led to some appearance of common characteristics of tenure, and in some cases actually to common characteristics. Legally the payment of scutage and the character of wardship were distinguishing marks.

Beyond any real doubt, the same differences of origin and purpose existed originally between these freehold tenures and the feudal

him into the manorial organization, and bring him into a relationship far closer to the class below him than to the class above. As an individual, however, in relation to public affairs, he is classed and acts, so far as he acts at all, with the higher class, though he stands certainly in the background, and is apparently always a second choice. As these public relations become feudalized, the judicial for example, he belongs on one side to the feudal system. As the feudal interpretation becomes the prevailing one, the temptation is especially strong to apply it to the customary freehold, which is certainly not servile and whose holder acts in many capacities with the knight. It becomes easy to attach feudal incidents like homage to such holdings. The confusion in this border land is greater in England than on the continent partly because the local political organization retains there through all the feudal age so much more importance, and partly because when the national judicial system arises, royal and anti-feudal, it finds no reason for recognizing a distinction between these classes which the local system had not recognized and every reason for not doing so. It is an important fact, however, that while the thirteenth century tends to carry over into the class of common freeholds some holdings that would earlier have been called feudal, it does not show the least tendency to obliterate the essential legal distinctions between the two classes of tenures. Littleton shows that this drift out of the strictly feudal class went afterwards somewhat further, but the distinction is still perfectly clear, and remains so as long as feudal tenures proper exist in England. It should be remembered of the thirteenth century in English history that the feudal system was then in rapid decline. The causes which had created it had ceased to exist; they had in fact never existed to any great extent in England. There were no longer any valid reasons back of its distinctions to maintain them. It is impossible to reason from anything which is coming into existence in the thirteenth century to feudalism proper, unless it be by way of contrast.

proper, as between the servile and the latter, though, at least with reference to origin, the evidence for this is less clear. It is difficult to trace the origin of the common freehold tenures of the thirteenth century. They originated undoubtedly in different ways, and three ways are probable. 1. Original small free estates, held in full ownership, but attracted by need of personal and economic protection into the manorial organization. 2. Servile raised in process of time into free. 3. Small feudal tenures in a similar way depressed.<sup>1</sup> Theoretically a fourth might be added of portions of a manor held by free men on payment of a rent like modern tenant farmers, but this practice probably almost or quite disappeared as feudalism was forming,<sup>2</sup> to reappear as settled political conditions arose, certainly very early in England. It is probable that the first class represents the origin of most of these freeholds and that a quality of full ownership always attaches to them as distinguishing them from both the other classes of tenures, as seen for example in the matter of wardship in England, but this cannot be confidently asserted.

As to the controlling purpose of these tenures, however, there can be no doubt. They are economic, not political in prevailing and determining character. This seems to be fully the case so far as the land is concerned. Certain incidents of this tenure seem to approach the feudal because of the personal position of the holders, because certain public duties which once rested upon them as free citizens of the state, still rest upon them, no longer in the old way, but as survivals drawn under the prevailing feudal theory which tends to explain them as incidents of tenure. That is, the apparently feudal characteristics of these tenures did not originate as in the feudal proper as the result of an original contract, but as a feudal interpretation of pre-existing facts. This determining economic character cannot be better stated than in the words of Brunner, in which he formulates the difference between those tenures of Merovingian times, which developed into the feudal, and others similar in some points which did not. Calling attention in a note to the fact that he is not speaking here of lands paying a money rent held by serfs, because they did not rest upon a contract, he says :

“ Die der fränkischen Zeit angehörigen Leiheverhältnisse haben sich allmählich in zwei Hauptformen geschieden, nämlich in die des Zinsgutes und in die des Lehens. Man darf jenes als ein Leiheverhältnis niederer, dieses als ein Leiheverhältnis höherer Ordnung bezeichnen.

<sup>1</sup> In Normandy custom finally fixed on the eighth as the smallest subdivision of a knight's fee which could be held by military tenure, smaller fractions being treated as *tenures roturières*. See Brussel, *Usage des Fiefs*, I. p. 174, n. b.

<sup>2</sup> See Fustel de Coulanges, *L'Alléu*, pp. 415-416.

An Zwischenbildungen und Übergängen fehlt es nicht und die Grenze ist namentlich in den Anfängen der Entwicklung oft kaum zu bestimmen. Die Verleihung des Zinsgutes erfolgt unter wirtschaftlichen Gesichtspunkten. Der, Zinshof soll dem Herrenhof dienen, durch Fronen, Naturalabgaben oder Geldzinse des Besitzers die Wirtschaft des Herrenhofes ergänzen. Das Zinsgut stellt sich daher als eine Pertinenz des Herrenhofes dar. Die wirtschaftliche Abhängigkeit des Besitzers und die Art der Dienste, zu denen es verpflichtet, charakterisieren es als ein Leiheverhältnis niederer Ordnung, welches sich schliesslich derart ausgestaltet, dass es die öffentlich-rechtliche Stellung des Beliehenen beeinflusst und eine Schmälerung der vollen Freiheit nach sich zieht.

“Dagegen geschieht die Vergabung des Lehens nicht zu wirtschaftlichen, sondern zu öffentlich-rechtlichen Zwecken. Der Beliehene soll nicht dem Grundbesitz, sondern der Person seines Herren dienen, er soll ihm nicht wirtschaftliche sondern öffentlich-rechtliche, insbesondere militärische Dienste leisten. Die Leistungsfähigkeit des Beliehenen darf einerseits nicht durch die Bewirtschaftung des Leihgutes absorbiert werden, das Gut muss seine persönliche Arbeit entbehren können. Andererseits soll es ihm eine derartige ökonomische Stellung gewähren, dass es die lehnmässigen Kriegsdienst davon zu leisten vermag. Demgemäss können nur wirtschaftlich selbständig und grössere Güter, solche auf welchen die bäuerliche Arbeit in der Hauptsache von Knechten oder Hintersassen besorgt wird, den Gegenstand des echten Lehens bilden, abhängige Höfe nur insofern, als dem Lehnmann ihre Rente zugewiesen wird. Eine wirtschaftliche Abhängigkeit von einem Herrenhof, eine Schmälerung der vollen Freiheit führt das Lehen nicht herbei; es ist darum ein Leiheverhältnis höherer Ordnung.”<sup>1</sup>

This states the case exactly for these small freeholds of whatever origin, and for the Saxon as well as for the Frankish state. It is into the manorial not the feudal organization that they are forced by the exigencies of the time. Whether in any individual case the need of personal protection or the lack of economic independence brought about the change is not important. The essential fact is that it is the manorial system which incorporates and controls them. Their relation to public life and to the growth of institutions is determined by this relationship. They represent in other words, so far as our problem here is concerned, nothing different from the servile class. The changes which affect them in the formative age are not changes toward feudalism proper. The transformation of their tenures into dependent tenures brings them into the manorial not into the feudal system.

These two classes of dependent tenures are those which pass on most nearly unchanged from the Saxon into the Norman state. Besides these we have in the earlier period a variety of other holdings, more or less dependent, not very clearly defined in their legal characteristics, but concerning larger estates and more important persons,

<sup>1</sup> Brunner, *Rechtsgeschichte*, I. 209.

—the king, bishops, earls, and thegns,—in their relations with one another. Of these nearly all those which do not fall into the class to be noticed in the next paragraph seem to be cases of real dependent tenure, originating in the desire for the protection or in an attempt to purchase the influence and favor of some powerful person. It is among these forms that we find the nearest approach to those out of which feudalism grew. Parallels for them all are to be found in the variety of cases which lie around the line of descent of feudalism proper in the Frankish state, but this is all that can be said of them. They represent the operation of those political and economic causes which were the great motive forces in creating feudalism. Had these forces had in Saxon England the same formal elements to work upon which the Franks had inherited from Rome, the *precarium* and the *patrocinium*, we might possibly have had the same result there, instead of a few unimportant cases of verbal imitation. The fact should not be overlooked, however, that of all the provinces of the Roman Empire in which these elements existed, where the Germans settled, and where beginnings which seem to be the same were made, Gaul alone produced institutional feudalism. Britain produced, among all these forms, nothing really like it, not even the beginning of it.

One other form of tenure existed in Saxon times which needs to be noticed. That is the class of grants of limited ownership, of full ownership so far as the grantee is concerned, or even his heirs, but with no right or a very limited right, of conveyance to others; "he cannot go with the land where he pleases." These grants, common to various Teutonic peoples, whose existence was long maintained by Waitz but has been fully demonstrated by Brunner in one of his most masterly studies,<sup>1</sup> had much more frequent use and a longer life in the Saxon than in the Frankish state, but they were not in any respect the ancestors of feudal grants. The practice of making them made it natural and easy for the Franks to take up the Roman tenures from which the feudal did grow, as these had been developed by the church, and in many cases doubtless to bring grants of the old limited sort under the new principle, but they influenced the formation of the feudal system in no other way. Had the feudal tenures grown up in Saxon England as in the Frankish state their greater usefulness and adaptability to the purposes sought would have driven these more primitive and clumsy Teutonic forms out of common use long before the Conquest.

<sup>1</sup> *Die Landschenkungen der Merowinger und der Agilolfinger* in the *Sitzungsberichte der Berliner Akademie*, 1885, pp. 1173-1202. Reprinted with some additions in *Forschungen zur Geschichte des Deutschen und Französischen Rechtes*, 1894.

II. The subject of jurisdiction is one of the most difficult connected with the feudal régime. The variety which everywhere reigns in feudalism is especially characteristic of this side of it and makes it by no means easy to distinguish the ideas which control it. The briefest attempt to give any discriminating account of what was included under feudal jurisdiction in the wide sense would far exceed the limits of any REVIEW article. Happily it is not necessary for our purpose to make the attempt. No one has ever suggested, so far as I am aware, that feudalism was created by the growth of private jurisdictions, nor is anyone ever likely to do so. Any possible development of these practices would leave so much that is essential to feudalism unexplained that the relation of cause and effect does not suggest itself. Private jurisdiction was, like the manorial organization, one of the side products of those conditions which, along another line, produced feudalism; a product which feudalism, once created, absorbed into itself and made its own as it did the manorial system. Still, some consideration of the subject is necessary here, because in the first place this feature is so truly characteristic of feudalism in the wide sense, and in the second, because it is this development which leads to the absorption by feudalism of one department of public law, and to the translation into private obligation of one line of public duty.

In the discussion it is necessary to distinguish clearly, for theoretical purposes at least, three distinct lines of jurisdiction which were probably in practice more mingled together in England than elsewhere in the feudal world, though this mingling existed to some extent everywhere, and was indeed inevitable. These are first, manorial jurisdiction proper; second, public jurisdiction in private hands; third, feudal jurisdiction proper.<sup>1</sup> However confused they might be in practice, these three are clearly distinct in theory and they were distinct in historical origin.

Jurisdiction over the unfree population on large estates which were managed as a whole—over their disputes and offenses among themselves, over questions which concerned the estate and its population alone—apparently began in Roman days;<sup>2</sup> it certainly began long before institutional feudalism arose. This was the beginning of manorial jurisdiction proper, and this remained its character when

<sup>1</sup> See the discussion of this subject in Flach, *Origines de L'Ancienne France*, Vol. I., Bk. II., especially Chaps. VIII. and IX. He emphasizes: La distinction entre la cour des pairs siégeant comme vassaux et la cour des pairs siégeant comme fidèles [subjects]—distinction qu'il ne faut jamais perdre de vue, sous peine de ne rien comprendre au fonctionnement de la justice pendant les X<sup>e</sup> et XI<sup>e</sup> siècles ni à son sort ultérieur.

<sup>2</sup> Flach, *Origines*, pp. 73-78; Beaudouin, *La Recommandation et la Justice Seigneuriale*, pp. 108-122; Fustel de Coulanges, *L'Alleu et le Domaine Rural*, pp. 450-452.

considered by itself alone. It was a jurisdiction over manorial disputes and offenses only. It had, strictly speaking, nothing to do with feudalism, either in origin or in character.<sup>1</sup> That it attracted into itself, that is into the manorial proper, in the end many free tenants was due mainly and probably originally to their economic dependence on the manor; later it was also due in part to the transfer of public jurisdiction to private hands and in part to the influence of the feudal theory. It was this jurisdiction also, freed from the feudal proper, and except in very minor matters from the public, which in England survived the age of feudalism.<sup>2</sup>

Later we have the beginning of a new jurisdiction of a public character added to the manorial in a certain number of cases; the germ out of which would grow in the end a greatly enlarged private jurisdiction, covering questions and persons not belonging primarily to the manor, as well as in these matters the free population of the manor itself, by the formal putting of the lord in the place of the state for a given district, or possibly in some cases by the transfer to him of an entire local court. It is at this point in the development of these institutions that the immunity exercised such an important influence, and it is upon this process in Saxon England that Mr. Maitland has thrown so much new light, but he has not made it apparent that Saxon private jurisdiction had advanced beyond this point before the Conquest. This process, well under way in the age when feudalism came into existence, was greatly aided and enlarged by the breakdown of public authority under the later Carolingians. Grants of this sort were rapidly multiplied, almost as an open confession of the weakness of the government. Usurpation took the place of an actual grant in many cases. The count transformed his public office into a private possession, and the line of connection between the state as public authority and its officers was weakened or broken from many causes.

But it was during this age also that feudalism proper was fixing itself in the Frankish state and becoming the controlling element in what general organization survived. It was natural and inevitable

<sup>1</sup> La justice domaniale, qu'on appellera bientôt justice seigneuriale, est encore un peu vague et indéfinie au huitième siècle. Avec le temps, elle se précisera et prendra des règles fixées. Nous avons seulement constaté ses origines; elles sont dans la nature du droit de propriété et dans l'organisme constitutionnel du domaine; elles n'ont rien encore de féodal. Fustel de Coulanges, *L'Alleu*, p. 461. Seignobos, *Le Régime Féodal en Bourgogne*, pp. 236-243, is an argument to show that manorial jurisdiction is not of feudal origin, but is derived from the right of property.

<sup>2</sup> See the character of this jurisdiction in Maitland and Baildon, *The Court Baron*, *Selden Society*, Vol. IV. The manorial court records of Maryland, printed by J. Johnson in Vol. I. of the *Johns Hopkins University Studies in History*, give interesting examples of this jurisdiction as transferred to America in colonial times.

that this system of private jurisdictions, though of independent origin, should be absorbed by it and worked over according to its own theories. The lord of the manor was by this time, not in every case, but generally, a link in the feudal chain, at least every feudal senior was lord of a manor. His view of his relations to those above him determined his interpretation of the relation to himself of those below. Tenure became the one explanation of everything which was capable of explanation by it. Jurisdiction followed from it. The duty to be subject to the lord's court and to assist in its operations resulted from it and private jurisdiction took on that feudal character proper which it had lacked in the great age of the immunities, and which it never possessed in Saxon England, that is it became one of the elements of a contract.

Compared with this feudalization of public justice, the third kind of jurisdiction, the feudal proper, was always, in England at least, insignificant. What this was may be stated in the words of Brussel: "C'étoit une maxime universellement pratiquée en France, que tout suzerain avoit cour plénière sur ses vassaux, au regard de leurs fiefs"; or of Houard: "On a prouvé, article Fief, que tout seigneur avoit cour plénière sur ses vassaux, en ce que touchoit les fonds qu'il leur avoit inféodés."<sup>1</sup> It was a jurisdiction over those holding fiefs only, in matters which concerned their fiefs only, or in offenses which concerned themselves only, mainly in this last case offenses which concerned lord and man. This is the jurisdiction which is meant by the judgment of peers in C. 39 of Magna Carta. In parts of Europe this jurisdiction on its civil side resulted in something important and permanent, but in England though there are evidences of its existence as a separate jurisdiction, and though the barons at one time seem disposed to insist upon it so far as the king's court is concerned, apparently as a means of checking royal encroachments upon their own jurisdictions, it never amounted to anything even in the age of the highest development of feudalism in the kingdom, the first three quarters of the twelfth century.<sup>2</sup>

<sup>1</sup> Brussel, *Nouvel Examen de l'Usage Général des Fiefs*, I. p. 260. Houard, *Dictionnaire de la Coutume de Normandie*, III. p. 394, Art. "Pair." There is a great literature of feudalism, both French and German, of the seventeenth and eighteenth centuries, especially of the latter, but it can be used for historical purposes, as evidence regarding the institutions or ideas of the great age of feudalism, only with the greatest caution. But the aim of Brussel was distinctly historical and he had the spirit of the true historian, though under unfavorable conditions. This can be said of Houard only in a less degree.

<sup>2</sup> The evidence shows, I think, that a court of this sort—of vassals acting as peers, and considering only feudal cases in the strict sense—met only on the special summons of the lord, which might be for his own purposes or on the demand of a vassal, and the vassal's case was liable to be tried by the lord's ordinary court unless he demanded trial



This fact was characteristic also of Normandy, though to a rather less extent, and for the same reason, the great power of the sovereign and the great centralization of government as compared with the most of the feudal world. There are other reasons for this state of things in England which it is not necessary to go into here. By the end of the thirteenth century this jurisdiction had lost what little significance it had ever had. The attempt to save it, made in the interest of the overlords in the Magna Carta, was practically abandoned before the close of the reign of Henry III. A little later the Statute of *Quia emptores* made an end of any possibility of the growth of it, at a time when the *Quo warranto* proceedings were checking the enlargement and even curtailing the extent of the public jurisdiction in private hands. But at that date the feudal system had come to an end in England in every respect, except as the basis of a nobility and as mere land law, because of the general transformation of conditions.

The influence of this feudal jurisdiction proper upon the general institutions of England is to be found almost alone in the evolution of the modern judicial system out of the king's court, and in the working of the principle of trial by one's peers.<sup>1</sup> More important from our present point of view is the absorption of the independently originating private control of public jurisdiction into feudalism, and the working of it over in harmony with the prevailing idea of contract. The essential fact is, that it became a part of the service by which the vassal held his land to help to form the lord's court when called upon to do so, and that even the court duty of the common

by his peers. We may go so far, I think, as to say that no court meeting at fixed intervals was a strictly feudal court. It was a court of mixed jurisdiction though often deciding feudal questions. Most of the early law books of modern Europe—those written before the close of the thirteenth century—are books of the mixed law enforced in these courts, though feudal law proper fills the larger part of each book. If feudal law and criminal law be taken out hardly anything, indeed, is left. The Lombard feudal code, the *Libri Feudorum*, is a pure feudal code except for some provisions in the two *Landfriedens-Gesetze* which it incorporated. Glanvill's book is, from one point of view, the most interesting of all these early law books. Written at a date when, if it had been composed in any other country, it would have been chiefly feudal law, when feudalism in England had only just begun its final decline, and containing indirectly a great deal of feudal law, it is nevertheless written from a point of view not merely non-feudal but opposed to feudalism. Its most important contribution to general, as distinguished from legal history, is the evidence which it gives of the serious inroads upon the feudal system which a powerful executive had already been able to make.

<sup>1</sup> It is a rather interesting fact that, while in France and not in England there was active protest on the part of the barons against the presence in the king's court of a bureaucratic element in the trial of members of their order, it is in England and not in France that the barons secured a real right of trial by their peers. This right would have been lost in England as well but for the peculiar form of the development of Parliament in that country.

freeman was in a vast proportion of cases transformed by this idea. But this was a result of completed feudalism, not a part of the process by which it was created.

III. In regard to military tenures, Mr. Maitland refers to three groups of facts which appear to him to indicate that the Conquest introduced no practical differences in this matter, or that at most it introduced only a theory more fully developed from similar facts.<sup>1</sup> These groups of facts are: 1. Those indicating that a definite burden of military service rested upon a definite portion of land. 2. Those showing that this service was often performed by one of a group of men, the others uniting to sustain him in the field. 3. Those which seem to show that the state often held the great lord, a former owner, responsible for this service, and that he in turn exacted it from the present holders to whom he had conveyed portions of his lands by some limited right of ownership. The man is responsible not to the king but to the lord.

I shall only refer here to Mr. Round's criticism of these views, especially of some points connected with the last. He appears to me to have shown clearly that these facts are capable of presentation under quite another aspect.<sup>2</sup> What is here proposed is to raise the question whether, accepting Mr. Maitland's account as it stands, we should still have feudalism or any real approach to it.

Mr. Maitland refers to the similarity between these arrangements and those which existed in the Frankish state, and the comparison is interesting and for our problem decisive. He says: "Already in the days of Charles the Great the duty of fighting the Emperor's battles was being bound up with the tenure of land by the operation of a rule very similar to that of which we have been speaking. The owner of three (at a later time of four) manses was to serve; men who held but a manse apiece were to group themselves together to supply soldiers. Then at a later time the feudal theory of free contract was brought in to explain an already existing state of things."<sup>3</sup>

The statement of this "rule" which is here made is accurate. Whatever may be one's opinion upon the disputed question, whether originally in the Frankish state the burden of military service rested upon the land or upon the individual, there is no dispute as to the existence of these arrangements under Charles, and they continued in use for some time. What was the reason for their existence? They were part of a conscious attempt made by the kings to save

<sup>1</sup> *Domesday Book and Beyond*, pp. 156-161.

<sup>2</sup> *English Historical Review*, Vol. XII., p. 492.

<sup>3</sup> *Domesday Book and Beyond*, p. 161.

the old Frankish military system from the collapse which was threatening it from a variety of causes, one of which was the growth of feudalism. In the Saxon state they indicate undoubtedly the same condition, the difficulty of getting the old military service. They were not feudal in themselves. They were not in the line of the development of feudal military service. Quite the contrary. They represented an earlier, contrasted, to a certain extent even a rival form of military service which was being driven out of the field by feudalism, and which finally succumbed to it, never completely but as the main dependence of the state. The first and last sentences quoted above convey, I believe, an entirely wrong impression. No operation of this rule bound up the duty of fighting battles with the tenure of land. No theory of free contract was ever brought in to explain this state of things. Tenure by military service and the theory—the fact of free contract entered into possession of the field by an entirely different road; they were already entering into it at the moment of these regulations.

Mr. Maitland could have extended his comparison with Frankish institutions to the last of the three groups of facts—to the idea of the responsibility of the lord for the military service of the men of his lordship. What looks very much like it is to be found alongside the Frankish practices described above. The senior, with the sanction of the king, summoned his men to perform their military service and led them into the field as his own force, under his individual responsibility.<sup>1</sup> The army was composed partly of contingents representing the old general levy under the arrangements described in the last paragraph, led by the count, partly of contingents of men led by their lords.

The use which the state made of the growing feudal system in this way exerted a decisive influence upon it, not in creating it but in stimulating and perpetuating it. This was by no means the intention of the state. Its purpose in this case was the same as in the other arrangements, to obtain by means of a temporary expedient the military service which it must have and could no longer get in sufficient amount under the old system. The result was, however, to hasten materially the transformation of the citizen army into a feudal army, and to continue under a new form the sanction

<sup>1</sup> Les capitulaires imposèrent au senior, sous sa responsabilité personnelle, l'obligation de réunir et de conduire ses hommes à l'armée en cas de convocation." Esmein, *Cours Élémentaire*, p. 127.

"Die Senioren hafteten für die Strafe des Heerbannes, wenn ihre Leute sich dem Dienste entzogen. Für die Gruppen der ärmeren Heerpflchtigen übernahmen ihre Senioren die Beschaffung der Stellvertreter und erhoben dafür die von den Wehrpflichtigen zu zahlende Beisteuer." Schroeder, *Lehrbuch*, p. 155.

which the state had granted the feudal organization at its birth. It was not, however, the mere fact that the lord might be made responsible for the service of his dependents that brought about this result. It is conceivable that such a system of responsibility might exist of more than one kind and in a highly developed form, without involving any feudal arrangement. What made this expedient eventful in the history of feudalism was, that the state was making use of an already existing private obligation to take the place of a public duty which it was finding it extremely difficult to enforce in any other way. The essential fact is not that the state called upon the lord to assist in the enforcement of a public duty, and so created a new system for the performance of that duty which we call feudalism, but that it allowed and encouraged the substitution for this duty of a system of private obligations which had long before been created without the assistance and originally even without the sanction of the state, wholly in the field of private law, and which had long before this date taken on a prevailingly military character.

It should be remembered always that the element of military service was not essential to feudalism. It was one of a number of forms of service, made especially prominent by the conditions of the time, but no more indispensable than any of the others, no one of which was essential. The idea of honorable service was essential, but that was rarely embodied in a single form of service and when it was, it was not usually the military which was chosen. That is to say, when we have shown how the military element entered feudalism we have not explained the origin of the feudal system itself. Its own origin lies back of the military element in it. When we have discovered how it came to absorb into itself the public duty of military service, we have done no more than when we explain how it appropriated the judicial function of the state. There still remains the task of showing how the system itself arose.

In connection with the subject of military tenures Mr. Maitland admits, as fully as anywhere, the introduction at the Conquest of a contractual element which was lacking in Saxon days, but he is not disposed to see in this a matter of any importance. I shall not presume to dispute the opinion of so able a lawyer that as a matter of law the presence or absence of the contractual element is merely of theoretical and not of practical importance, that at most it is a question merely of legal logic, though I may be surprised that it should be so considered.<sup>1</sup> But in the field of institutional history

<sup>1</sup> See the quotations in note 1, p. 12. Statements of this kind are unexpected, at least, from one who is before all else a historian of law and institutions. The legal his-

certainly the case is different. There the one vital fact is that at the beginning of English constitutional history the public law of the state was brought under the controlling influence of private contract, that public duties were, as I have already said, transformed into private obligations. It was upon this idea that feudalism took its stand for self-defence against the attack of a powerful monarchy begun, indirectly and in ways not easily felt to be dangerous, by Henry II., continued more openly, so that the drift of things was more plain but not in reality more dangerous, by John. Forced into new prominence in this way as the principle of resistance, the idea of contract became the leading element in a new growth, the growth of the constitution, as I endeavored to show, too briefly, in an earlier volume of this REVIEW.<sup>1</sup>

Nor is this idea of contract a late idea, brought in as a theory to explain already existing facts. It goes back as a characteristic and controlling fact to days even before the origin of feudalism in one at least of the earlier institutions out of which the feudal system grew, the *patrocinium*; and it is only less prominent in the other, the *precarium*. In the *patrocinium*, which is the source of the personal side of feudalism,<sup>1</sup> it was made especially emphatic. A char-

torian has often been accused of tracing too sharply the formal line of connection between an earlier institution and its later descendant, and of insisting too strongly upon it. The criticism has only so much truth, that sometimes an unusually clear vision of the importance of the formal line of descent has led to a neglect of the social and economic forces which continually modify forms and shape results. But in the historic, as in the geologic past, a later form is always the outgrowth of an earlier, and can no more be understood in the one case than in the other without a knowledge of its ancestor. It is impossible to emphasize this principle too strongly where what we are primarily interested in is the constitutional result of a group of legal forms. In this particular case it would be enough to say, could it be so said as to carry understanding with it, that the exact legal forms out of which formal feudalism grew, either upon the personal or upon the land side, have never yet been discovered in the Anglo-Saxon state. We may be sure, I think, after this study of Maitland's, that they never will be, at least as anything but very exceptional cases.

<sup>1</sup> Vol. V., pp. 643-658.

\* Brunner is, I believe, the only scholar of authority who still derives vassalage directly from the comitatus. *Deutsche Rechtsgeschichte*, II., pp. 258-274. He holds this opinion, however, in quite a different form from the original comitatus theory. He rests it upon various points of similarity between the comitatus and the later vassalage, but some of these were features of the *patrocinium* as well as of the comitatus; some indicate the influence of the comitatus in modifying the *patrocinium* as it grew into vassalage proper, and some would probably be common to any personal relationship between lord and man. These considerations lose all force in face of the positive argument for the *patrocinium* origin as developed by Fustel de Coulanges, *Origines*, pp. 192-333; and Ehrenberg, *Commendation und Huldigung*, *passim*, especially pp. 131-141. See also the conclusive answer of Brunner's argument by Dahn, *Könige*, VIII. 2, pp. 151 ff, and compare Waitz, *Verfassungsgeschichte*, IV., pp. 249 ff. The commendation of the landless man—the *patrocinium* proper—as an element in the origin of feudalism, is not discussed by Maitland because Domesday Book is not concerned with cases of the kind,

acteristic formula of commendation, which is one of those often quoted to illustrate its features, will make this evident :

Domino magnifico illo ego enim ille. Dum et omnibus habetur percognitum, qualiter ego minime habeo, unde me pascere vel vestire debeam, ideo petii pietati vestræ, et mihi decrevit voluntas, ut me in vestrum mundoburdum tradere vel commendare deberem ; quod ita et feci ; eo videlicet modo, ut me tam de victu quam et de vestimento, juxta quod vobis servire et promereri potuero, adjuvare vel consulere debeas, et dum ego in capud advixero, ingenuili ordine tibi servitium vel obsequium impendere debeam et de vestra potestate vel mundoburdo tempore vitæ meæ potestatem non habeam subtrahendi, nisi sub vestra potestate vel defensione diebus vitæ meæ debeam permanere. Unde convenit, ut, si unus ex nobis de has convenientiis se emulare voluerit, solidos tantos pari suo componat, et ipsa convenientia firma permaneat ; unde convenit, ut duas epistolas uno tenore conscriptas ex hoc inter se facere vel adfirmare deberent ; quod ita et fecerunt.<sup>1</sup>

That this is a legal contract is plain enough, both from the even exchange provided for and from the arrangement specified by which either party may terminate the agreement at will. If one party is clearly in a condition of economic inferiority which affects the practical character of the bargain which he can make, it is also clear that in legal status he is on an exact equality with the other party. This is proved, if it were not plain from the agreement itself, by the term *pari suo*, whether we understand this to mean the other party to a contract, which seems to be the only natural meaning in the majority of the formulæ, or "his peer" as M. Fustel takes it here,<sup>2</sup> referring to the fact that the document puts them on an equal footing and subjects both to the same penalty. This feature of the *patrocinium* never disappears from feudalism, nor even declines in importance so long as the system lasts. If later feudal lawyers might have hesitated to call the lord the peer of his vassal, lord and vassal always remained peers in questions of the feudal contract, which was equally enforceable by either party in the lord's court or in that of the lord's suzerain. The reluctant lord could even be forced by his vassal to accept homage and grant investiture, an extension of the idea foreign to the original system, and indeed the sign of an important change.

It is not necessary to add to this any description of this feature in the benefice, but if the original Roman *precarium* was not a con-

but the same thing is to be said of it as was said of the *precarium* above. No development of it by itself could have produced the institutional feudalism of the eleventh century.

<sup>1</sup> *Formula Turonenses*, No. 43, Zeumer, p. 158 ; Rozière, I., p. 69. On the character of commendation as a contract see Ehrenberg, *Commendation und Huldigung*, pp. 90 ff.

<sup>2</sup> *Origines*, p. 271.

tract, and if the holder had no standing in the courts as against the grantor, this is one of the features which began to enter into it as it grew toward the benefice and the fief. As *precarium* grants for limited times with some pecuniary return became frequent, and especially when specifications began to be introduced that the holder could not be disseised because he failed to pay promptly on the fixed date, the arrangement assumed more the character of a contract. It became a quasi contract, as Fustel calls it,<sup>1</sup> and though the right of the doner to protect his holding was always imperfect during the formative period, the *precarium* was rapidly becoming a true contract when it was absorbed in feudalism through its combination with the personal relationship which had grown out of the original *patrocinium*.

It is this combination which forced the idea of contract, though it had been, to the extent stated, a feature of both the prior institutions, to the front as the controlling idea of the new result. The necessary reason for this union was the making of a contract, and in such a way as to secure its fulfilment. The prince who saw himself compelled in as short a time as possible to transform the originally unmounted Frankish army into a mounted force, must make sure that the land with which he provided the senior would be used to pay the expenses of putting his men on horseback, and to this end he began to require in frequent cases that the senior become his vassal with these obligations of service. This practice united the benefice and vassalage as the two sides of a new relationship, and by this feudalism proper was created. I cannot avoid the conclusion that the fundamental difficulty with those who see feudalism existing or forming in the Anglo-Saxon state is that they overlook the importance of this union in the creation of institutional feudalism proper. But the reason of the union was to create and enforce a contract, and this remained always the reason of this union which continued to be prominent and emphasized as long as feudalism had any existence at all.

This contract idea is, indeed, through all the varying forms and transformations of the feudal age the one thing which is permanent and distinctive, the one constantly controlling element. The effort to define clearly its nature, incidents and results, to protect the interests now of one party to it, now of the other, to hold these two conflicting interests each within its sphere and to mediate between them, gave us feudal law. The effort to embody this principle in visible forms and symbols, and to get the necessary business of the state performed through its agency and in harmony with it, created feudal institutions.

<sup>1</sup> *Origines*, p. 149.

If this contract idea was not a test by which feudalism itself consciously distinguished between the feudal and the non-feudal, it was involved in the test and it constituted the real difference.<sup>1</sup> Where we find at any time what seems to be an analogous idea affecting the non-feudal tenures it is because the principles which prevailed so strongly in the higher sphere have influenced the interpretation of different arrangements in the lower, and worked them over by its own analogy. And, until we come to the time when we have actual bargains made between lord and commune, or between lord and rural community or group, the arrangements were really different. Nor did they ever develop as a whole into really contractual relations. Originally the serf in his permitted or compelled holding had no rights which he could protect, and if he acquired these in the end he did it by the way of prescription, by putting limitations on the lord's right of exaction, not by enforcing anything in the way of an original contract. And the case of the small, non-feudal freeholder was not different in principle. Probably his relation to the lord had in many cases originated in something much more like a contract than anything in the case of the serf—a contract affecting the land, however, not the personal relationship—but the economic influences which had caused the original action continued to be the prevailing influences and incorporated the free holding more and more closely, in the manorial organization.

It would be a mistake to assert that no other idea than that of contract is to be found at work in the public relations of the feudal age. Feudalism was a system of legal notions and practical usages of a peculiar sort, growing out of peculiar and temporary conditions partly economic and partly political, superimposed upon an older, very different and very firmly fixed governmental system. This system it nowhere destroyed. There was always, even where feudalism most completely triumphed, inconsistency and conflict from the existence in the presence of each other of these two radically different and inharmonious sets of ideas and institutions. There is no feudal state, for example, regarded as a feudal state, where the kingship is not illogical, a source of contradictions in institutions and law, and of irreconcilable practical difficulties in their operation. The feudal system logically demanded a supreme suzerain at the top of the hierarchy. But the king was not this alone as, looked at from the feudal side, he should have been, not even in such a state

<sup>1</sup> Whether we say that the essential and distinguishing feature of feudalism proper was the contract idea, or honorable service with what that implied, or the union of vassalage and the benefice, makes no great difference. The form of the expression will depend on which aspect of the single fact we are inclined to emphasize. In real meaning, in institutional significance, we have said the same thing in each case.



as the kingdom of Jerusalem. Far the larger part of the conception of his office which always prevailed was derived from the older non-feudal system. His rights and prerogatives, his duties even, conceived of definitely enough as to existence and direction, but very vaguely as to application and limitations, constantly clashed with feudal rights.

It was from the conflict between these two systems that modern constitutions arose. Everywhere before the end of the middle ages feudalism as a system for the organization and government of society disappeared, largely because the conditions which had created it and from which it drew its strength had passed away. But everywhere it left its mark upon the institutions which took its place. England, of course, forms no exception to this rule. What is exceptional, however, is that in England this fundamental and all-controlling principle of feudalism, the idea of contract, that the services and obligations even of the highest suzerain and his vassals are mutual, alike binding upon both, passed over from the feudal system as it declined into the victorious monarchical system and became, enlarged in meaning and application to fit the new conditions, as fruitful and determining in institutions and law as it had been in the previous age. This is the fact which created the constitutional difference which existed in the fifteenth century between England and all other European states, and this is the fact which makes the question of the introduction of this idea into English history of great importance and the idea itself of profound institutional significance.

Neither this idea nor the institutions in which it was embodied are to be found in Anglo-Saxon England. We do find there a variety of pre-feudal institutions and practices, dependent tenures, private jurisdictions, and military arrangements, partly economic and partly political, but these, in all their essential features, making due allowance for local variation, were paralleled in the history of Frankish institutions. In the line of strict institutional descent, they had nothing to do with the origin of feudalism. They were, however, either produced or nourished by that condition of society which produced and nourished the institutional germs of feudalism. They were perhaps as characteristic products of that society as those others from which feudalism did spring. They made in some cases contributions to forming feudalism which modified it in more or less important ways, and so characteristic of this society and inseparable from it were some of them that they survived the completion of the feudal system and were adopted by it, becoming as characteristic features of the feudal society as they had been of the society out of which feudalism grew.

I cannot close this article with any better statement of conclusions than is made in one of the closing paragraphs of Waitz's account of the earliest stages of feudalism in the fourth volume of his *Deutsche Verfassungsgeschichte*. He says (p. 360):

“Aenliche Bedingungen haben wohl damals und sonst bei anderen Völkern verwandte Erscheinungen hervorgerufen wie sie hier entgegen-treten. Aenliche Culturverhältnisse erzeugen im Völkerleben überhaupt in einem gewissen Mass übereinstimmende Bildungen. Aber immer haben solche dann doch in jedem einzelnen Fall ihr eigenthümliches und unterscheidendes, und die tiefer eindringende Forschung hat ihr Augenmerk besonders eben hierauf zu richten. Hörigkeit und Schutzverhältnisse verschiedener Art, Verbindung von Angehörigen des Volks mit höher gestellten Männer oder den Herrschern eines Staats zu besonderem Dienst, Verleihung von Land, privatem oder öffentlichem, gegen verschiedenartige Verpflichtung, Uebertragung auch von Hoheitsrechten zu einem gewissen selbständigen Recht an Statthalter und andere einzelne Personen oder an Corporationen kommen in der Geschichte der Völker wiederholt vor. Aber die eigenthümliche Form der Vassallität und des Beneficialwesens, mit dem Einfluss den sie auf die ständischen und die allgemein staatlichen Verhältnisse erhielten, hat sich nur im Fränkischen Reich erzeugt, auch nicht bei den verwandten Germanischen Stämmen in Britannien und Skandinavien. Und erst von den verschiedenen Theilen des Frankenreichs aus hat später eine Uebertragung auf andere Landen Europas und eine Zeit lang selbst Asiens stattgefunden. Was sich dort entwickelte, ist deshalb nicht bloss für die aus dem Frankenreich hervorgegangenen Staaten, sondern im weiteren Umfang für die abendländischen Nationen überhaupt einflussreich geworden. Darin mehr noch als in dem was diese Verhältnisse in der Karolinischen Zeit selbst waren liegt ihre grosse geschichtliche Bedeutung.”

Since these words were written, every new investigation, sifting the evidence more and more thoroughly, of which *Domesday Book and Beyond* is a fine instance, only serves to confirm their truth.

GEORGE BURTON ADAMS.

## THE JESUIT RELATIONS<sup>1</sup>

FROM the posting of Luther's theses to the battle of Lützen, the history of Europe is an intricate record of religious agitation. "A few centuries ago," says Lowell, "the chief end of man was to keep his soul alive, and then the little kernel of heaven that sets the gases at work was religious and produced the Reformation. . . . Now that the chief end of man seems to have become the keeping of the body alive, and as comfortably alive as possible, the heaven also has become wholly political and social." The comforts of the body and the lust of gold were certainly not disregarded in the sixteenth century, for the age of Luther was likewise the age of Francis I. and of Cortés. But it was a time when merchants talked theology at the dinner table, when freebooters said prayers and when even Benvenuto Cellini sometimes thought about his eternal welfare. Whether the rancor and the inhumanity which so abounded be ascribed to depth of conviction or to party hatred, they show how prominent the religious motive was.

When the era of the later Reformation is looked at from any other side than that of theological politics, the colonial movement comes rapidly into the foreground. And indeed we do not escape from the religious atmosphere of Europe when we follow the sails of the emigrants into distant roadsteads. In the case of the Huguenot and the Nonconformist colonies the home government acted like a step-mother, and small bands of enthusiasts endured exile for the sake of their sectarian views. As soon as they had landed on the new continent they blessed God for having brought them thus far and then set about the erection of what they considered to be a godly state. "Let them," they felt, "which have been redeemed of the Lord, show how He hath delivered them from the hand of

<sup>1</sup> Citations in the notes refer to Mr. Thwaite's edition of the *Jesuit Relations*, the completion of which has suggested the present article. Its full title is as follows: *The Jesuit Relations and Allied Documents. Travels and Explorations of the Jesuit Missionaries in New France. 1610-1791. The Original French, Latin, and Italian Texts, with English Translations and Notes; Illustrated by Portraits, Maps, and Facsimiles.* Edited by Reuben Gold Thwaites, Secretary of the State Historical Society of Wisconsin. (Cleveland: The Burrows Brothers Company. 1896-1901. Seventy-one Vols.)

Publication began in 1896 and all the documents to be printed have appeared, (Vols. I.-LXXI.). The set also includes two volumes of index, but as this article goes to press these are not yet published.

the oppressor. Let them confess before the Lord His lovingkindness, and His wonderful works before the sons of men." <sup>1</sup>

These words which were suggested to Bradford by the landing of the Mayflower reveal the mood of the Calvinist refugee. Sixteen years later another type of religious colony was projected by Jérôme le Royer de la Dauversière, a layman of Anjou, and Jean-Jacques Olier, a priest who afterwards founded the Company of Saint-Sulpice. The Société de Notre-Dame de Montréal did not spring from persecution but it was sealed with passion for the faith and it transferred to the forests of New France the spirit of the Catholic Revival. Bradford and his companions left England because they were molested by an intolerant king. The disciples of Olier came to Montreal "éloignant d'elles toute vue de lucre temporel et d'intérêt de commerce et ne se proposant d'autre fin que la gloire de Dieu et l'établissement de la religion dans la Nouvelle-France."<sup>2</sup> However separate their origins and however different their temper, both colonies carried beyond the Atlantic the dominant interest of Europe.

Amid the activities of religious warfare and of colonial expansion the Jesuits held a place to which they had been raised partly by the genius of Loyola and partly by the sufferings of Xavier, but which they kept by dint of determination. On the Catholic side their power was unrivalled and for firmness of resolve they were surpassed by none of their Calvinist foes, the burghers of Leyden and of La Rochelle, the Ironsides of Cromwell and the Scottish Covenanters. To the Papacy they became favorably known in the days of Paul III., though they did not reach their full eminence until after Laynez had played his brilliant part at the second session of Trent. They made themselves the dread of Protestantism by enforcing the Tridentine Decrees, by bringing back to Rome the reputation for scholarship which she had lost and by diverting the aim of princes from the pursuit of pleasure or of ambition to the cause of propaganda. Outside Europe their energy was no less marked and their success was almost equally great. Eight years after the vow of Montmartre, Xavier landed at Goa to begin the work which extended the influence of the Company to the Far East and opened up the long course of Jesuit missions. His deeds in Cochin, Madura and Travancore were known to the world before the militant tendencies of his European brethren were more than suspected, and when he died at San-Chan the noblest field of Jesuit effort had

<sup>1</sup> William Bradford, *History of the Plymouth Plantation*. Charles Deane, Ed. Boston, 1856, p. 77.

<sup>2</sup> These words are quoted from Faillon's *Histoire de la Colonie Française en Canada*, Vol. I., p. 380. They originally appeared in a memorial which was addressed by the Associates of Montreal to Pope Urban VIII.

been disclosed. Charles Legobien exclaims at the beginning of the *Lettres Édifiantes*: "From the time of St. Ignatius and of St. Francis Xavier the zeal for foreign missions has been, as it were, the soul and spirit of our Institute."<sup>1</sup> The Apostle to the Indies remained the one type of missionary hero and the authors of the Jesuit Relations drew their daily inspiration from his example. "A thousand times," says one of them, "the thought of St. Francis Xavier passes through our minds and has great power over us."<sup>2</sup>

There are two further reasons why an allusion to Xavier should come before any account of the writings in which the Jesuits described the mission of New France. He was not only the leader of a fresh war against paganism and a martyr to the hardships of his task. Besides showing the way, he fixed a method of appealing to the heathen mind which was afterwards followed by the members of his society in four continents. The rise of the Jesuits to a controlling position throughout the Catholic parts of Europe is paralleled by the rapid spread of their outposts to the east and west. The second half of the sixteenth century saw them established wherever the Spanish and Portuguese zones of influence extended. The early years of the seventeenth century brought them a chance of joining the French colonies at Port Royal and Quebec. Thus if we look back to St. Francis Xavier we see that their missionary tradition had flourished for nearly two generations before Biard and Massé first saw the shores of Acadia. Their experience already embraced India, the Malay Archipelago, Japan and China, Mexico and Peru, Brazil and Paraguay. It was not so much through the personal favor of Henry IV. that they first entered New France. Their men were ready and their policy was formed. They were eagerly awaiting the moment of invitation. Though ignorant of native languages they were not novices but adepts when they began their life among the Micmacs and the Etchemins.

The other reason which exists for connecting St. Francis Xavier with the Canadian mission is more important still, since it affects the whole character of the Jesuit relations as literature and as material for history. In times past these narratives have been praised and disparaged, alike without a sense of their true character. But a few years ago Father Camille de Rochemonteix prefixed to his notable work *Les Jésuites et la Nouvelle-France au XVII<sup>e</sup> Siècle*, a statement about the scope of the Relations which defines their limits with perfect clearness and candor. After what he has said re-

<sup>1</sup> *Lettres Édifiantes*. Paris, 1717. Prefatory Epistle, p. iii.

<sup>2</sup> *Divers Sentimens et Advis des Pères qui sont en la Nouvelle France*. *Jesuit Relations*, Vol. VIII., p. 187.

garding their origin they should prove misleading to no historian who employs them.

Here again we must revert to the dawn of Jesuit history and to the Indies. From the outset of his career in the east, Xavier saw the value of letting Europe know how it fared with him and his followers. We need not ascribe to him a love of self-glorification. He felt that bulletins from the mission field would touch the sympathy of friends and refute the voice of slander. Thenceforth the Jesuits never ceased to emphasize all the events in their work among the heathen which could warm the imagination and kindle the faith of their hearers. They made "edification" a prime object and when the writer took up his pen he thought of creating a certain effect. Personal letters to the Provincial or to the General were one thing, annual letters which were meant for the private use of brethren elsewhere were another thing. The published reports belong to still a third class. Xavier himself outlined the principles which the Jesuit missionary should follow when he was preparing his statement of progress for general circulation. In an order addressed to Gaspard Barzée, who had received charge of the mission at Ormuz, he makes this rule: "You will send periodical letters to the College of Goa, wherein are set forth the various labors which you undertake to secure the increase of the divine glory, the methods which you follow, and the spiritual results with which God crowns your feeble efforts."<sup>1</sup> Beira, another Jesuit, is also instructed by Xavier to inform Loyola and Rodriguez of everything "which when known in Europe will lead the hearer to glorify God."<sup>2</sup>

Unfortunately for the interests of historical research the Company of Jesus has not thrown open its archives to public inspection. Were we able to compare the three kinds of documents which were sent home by the missionaries we should doubtless possess the means of revising our opinion about some details. Whether our knowledge of essential facts would be altered by the publication of the more private dispatches is a matter of conjecture. The letters which were sent to the Provincial or to the General contained, there is every reason to believe, comments upon the efficiency of individuals, and if heart burning ever arose among the missionaries it must have found relief in complaint to headquarters. Father de Rochemonteix says that while all the private correspondence has not been preserved, much of it still exists. And he enjoyed the

<sup>1</sup> Rochemonteix, *Les Jésuites et la Nouvelle-France au XVII<sup>e</sup> Siècle*, Vol. I. Introduction, p. viii.

<sup>2</sup> Rochemonteix, Vol. I. Introduction, p. viii.

great advantage of having access to it. He selects as examples certain delicate questions like the acts of the governors, the conflicts between governor, intendant and bishop, the strifes of the orders, the sale of brandy to the savages, and asks whether, apart from the honor of the church and the interests of the colony, it would have been fair or salutary to give the world food for scandal. "Les missionnaires ne se seraient-ils pas écartés de la route si sagement tracée par l'illustre apôtre des Indes?"<sup>1</sup>

We must thank Father de Rochemonteix for another statement which can hardly fail to affect our estimate of the Jesuit Relations. The annual letters were designed for members of the Society and a strict rule guarded them from publication or from any other means of disclosure to outsiders. Accordingly they are beyond the reach of modern readers except when a general remark about them is offered by the Jesuit historian. Father de Rochemonteix affirms that they are the natural complement to the Relations. They depict the dark side of the mission, the discouragements and failures, the mood which is created by reaction from an undue confidence. The recruit after his heart had been stirred by the Relations went to the scene of action and there discovered how many things had been omitted from the published report. His disappointment at once expressed itself in his letters and he could not help using the language of "disagreeable surprise." "The Relations," wrote Father Claude Boucher to Father Bagot in 1663, "say only good and the Letters only bad. . . . The Relations should not be read with the idea that they say everything, but merely what is edifying."<sup>2</sup>

Where Jesuits of the seventeenth century gathered wrong impressions it is not strange that more recent writers should have gone astray. No one can praise the Relations on the ground of their complete accuracy. A vein of panegyric runs through them and without accusing their authors of wilful dishonesty we are bound to observe their leaning towards a sanguine rather than towards a gloomy or an impersonal outlook. The note of optimism is sounded whenever there is a chance to speak of a generous donor, a well-disposed governor, a forward proselyte. The success of the mission is the first thought. Whatever assists the good cause is edifying and therefore to be set down. Whatever retards is kept out of sight. Things indifferent or of a remote bearing upon the principal subject may be mentioned if in the writer's opinion they possess a value of their own, but neither political nor commercial

<sup>1</sup> Rochemonteix, Vol. I. Introduction, p. xiv.

<sup>2</sup> Rochemonteix, Vol. I. Introduction, p. xvi.

events are recorded with a systematic view to their importance. Father de Rochemonteix, who is clearly willing to allow the Relations their full weight, is at the same time impressed by a sense of their incompleteness. His plea is that despite their confessed limitations they bear all the marks of truth, because they were written in the presence of eye-witnesses by men like Biard, Charles Lalemant, Le Jeune, Vimont, Jérôme Lalemant, Ragueneau, De Quen, Le Mercier, Dablon and Brébeuf.

The question of honesty might be discussed at great length and it deserves to be treated in a special monograph. We have seen that the Relations were composed with a set purpose and left much unsaid. Do their omissions ever constitute a real *suppressio veri*? Or, going farther still, do their statements often misrepresent the facts with which they deal? It is not enough to urge, as Father de Rochemonteix does, the high character of the authors. A long experience proves the willingness of the religious to cut sharp corners when the interests of their order or of their cause are at stake. Whether it be called self-deception or whether one harbors the design of conveying a wrong impression, the result is the same. We therefore limit the sphere of the Jesuit Relations to such information as will promote the glory of God and we then ask whether, even here, the naked truth is told.

Many of those who wrote the Cramoisy Relations were in the truest sense heroes and when we speak of probity we do not cast a slur upon their fame. But owing to the intensity of purpose, which the Jesuits felt, they could not without an effort be dispassionate where their cherished objects were at stake. They have awakened a more profound distrust than any community in the Roman Church. Among millions their name has become a synonym for insincerity and veiled untruth. Knowing how far the dislike of the Jesuits by their opponents may be traced to dread and jealousy, we shall hesitate to accept popular report about their methods. The historical critic must be on the watch against the Jesuits, against their enemies, and against his own prepossessions.

One of the attacks which has been made upon the Jesuit Relations is worth a reference because it was begun in the seventeenth century and has been renewed within recent memory by well-known historians of New France. The fathers, it is maintained, did not shrink from exaggerating the number of their converts until the bounds of all probability were passed. The Jansenists and the Recollets charged them with embellishing the list of their churches and with claiming the spiritual conquest of tribes which they had never reached. Arnauld's *Morale pratique des Jésuites* and Le Clercq's



*Établissement de la Foy* are either satirical or sceptical, and when we reach M. Sulte's *Histoire des Canadiens-Français* we meet with very brisk raillery concerning the number of savages whom the Jesuits saw fit to term Christians. "We are told," observed M. Sulte, "that numerous conversions were made among the Hurons. One of my friends has calculated that the Jesuit Relations mention sixty thousand of these conversions. Now the Hurons at the period of their greatest power never exceeded ten thousand."<sup>1</sup> And he then quotes the Sulpitian, de Galinée "who states that in his time (1670) the Jesuits did not dare to say mass before their flocks because the latter only mocked at the ceremony." M. Lorin, the clever and learned author of *Le Comte de Frontenac*, also distrusts the reports which were spread abroad about the success of the Jesuit missions. He distinguishes between the settlement of natives under Christian auspices at centers near Quebec or Montreal and the missions of the remoter regions. Notre Dame de Quebec and La Prairie de la Madeleine really prospered, while away in the Huron and Iroquois cantons the value of the work consisted in promoting the zeal of the missionaries.<sup>2</sup>

The attitude of M. Lorin towards the Jesuit Relations is not, however, quite the same as that of M. Sulte, and a comparison of their views may help us to reach a decision regarding the worth of the intelligence upon this point. M. Sulte holds the fathers guilty of deception. At least the passage which we have quoted is unqualified by any explanation of the discrepancy between sixty thousand converts and ten thousand Hurons. M. Lorin without being convinced by the tales told of Jesuit ascendancy over the savage mind acquits the missionaries of malice and traces the exaggerated reports of their success to the unwisdom of their friends. After proving how slight an effect was produced upon the western Indians by the Sulpitians as well as by the Jesuits, he goes on to praise the Relations for their moderation. "Mais il faut ajouter que, si des amis trop zélés faisaient grand bruit, comme dit Arnould, des prétendues églises de sauvages du Canada, ce ne sont pas les Relations qui leur en donnaient le droit : ces récits, pour qui les lit sans parti pris, n'ont en rien l'allure d'un chant de triomphe ; ils sont simples, modestes comme les résultats obtenus."<sup>3</sup> In spite of the statistics compiled by M. Sulte's friend one fails to see that the Relations present either obstacles or results under false colors.

Circumstances alter cases and when the Jesuits fixed their standards

<sup>1</sup> *Réponse aux Critiques*, p. 3. The date of this pamphlet is July 1, 1883.

<sup>2</sup> *Le Comte de Frontenac*, p. 60.

<sup>3</sup> *Le Comte de Frontenac*, p. 60.

for the savage convert they placed the minimum low enough for the meanest intellect.<sup>1</sup> After a modern revivalist meeting the newspapers sometimes furnish us with a paragraph about the number of souls that have been saved. The computation is a liberal one based on the simple act of standing up or coming forward, which does not always mean an efficient change of heart. The Jesuit missionaries with their belief in the force of rites and sacraments counted their converts fast, especially when the state of politics encouraged the Indians to treat them with a moderate amount of civility. A list of the genuine and devoted Christians who were redeemed from paganism among the distant tribes would cut a poor figure beside the claims put forth in the Relations; but we may consider that when the Jesuits reckoned up their spiritual gains for the year they thought or hoped each sign of friendliness meant a change of heart. We know the final fate of the mission and baptismal details have lost much of their meaning. The writer's intent is the chief consideration. Was he concocting a fable or was he guided by an honest aim? At this point the Relations will stand careful scrutiny. Ministering though they do to the instinct of devotion and breathing out a kind of official cheerfulness, they do not shrink from confessing cases of positive failure or the evil conversation of the Indians who have been admitted to the Church. From their own pages one could prove that the Jesuits had extravagant hopes and a tendency to number on their side all those who were not against them, but the general straightforwardness of the narrative is established by passages wherein the crudeness of barbarian Christianity is virtually admitted.<sup>2</sup>

Having noticed the most famous example of perversion or of alleged perversion, which the Jesuit Relations afford, we may pass

<sup>1</sup> In Cotton Mather's *Life and Death of the Reverend Mr. John Eliot* (London: 1694) there is an interesting attack upon the methods of the Jesuit missionaries. Eliot, says his biographer, "was far from the opinion of those who have thought it not only warrantable, but also commendable to adopt some Heathenish usages into the Worship of God, for the more easie and speedy gaining of the Heathen to that Worship" (p. 132). A little later (pp. 134-138) Mather explains how by an odd accident "the Manuscripts of a Jesuit, whom the French employed as a missionary among the Western Indians" have fallen into his hands; "in which papers there are both a Catechism containing the Principles which those Heathens are to be instructed in, and cases of Conscience referring to their Conversations." One might suppose from the preamble that the catechism would contain full proof to Jesuit paganism. But the questions and answers simply reveal the old physical conception of heaven and hell, whereas the cases are not nearly so ridiculous as some which are given in the *Lettres Provinciales*. The authors of the Relations make no secret of the means which they took to attract the attention of the savages. Some of their devices were ingenious and none of them degraded Christianity to the level of fetish worship.

<sup>2</sup> See, especially, such of the Relations as treat of the Iroquois mission from 1669 to 1672.

to the larger aspects of the series. Enemies still abound and notes of hostility can be detected as soon as one begins to read the body of existing criticism. The old taunt that the Jesuits made an attempt on the life of La Salle is not quite forgotten and they are held guilty of sacrificing the spiritual needs of the French settlers to their project of converting the natives. The spirit which prompts such attacks is evident in some of the comments upon the Relations, but no one has yet ventured to reject their testimony altogether. The Abbé Faillon wrote his *Histoire de la Colonie Française* for the sake of glorifying Montreal at the expense of Quebec and the Sulpitians at the expense of the Jesuits. Notwithstanding this animus he cannot refrain from citing the Relations on almost every page. They are, we should think, the largest source from which he draws and no one in his position could have used other materials. The letters of Mère Marie de l'Incarnation and Dollier de Casson's *Histoire de Montreal* are also high authorities for the origins of New France, but to write of the St. Lawrence Valley or the west without using the Jesuit Relations would be almost like writing the history of the Heptarchy without Bede. Their merits are decidedly more prominent than their incompleteness or their shortcomings.

The historians of French Canada point proudly to the religious character of the colony which was founded by Champlain. Garneau, it is true, and Sulte are not imbued with a love of ecclesiastical control but they cannot escape from its presence. At most they form a small minority when compared with those of their compatriots who deem the Old Régime to have been hallowed by the moral authority and the actual power of the church. Faillon, alluding to the treaty of St. Germain-en-Laye, says: "Dès la restitution du Canada à la France, les Cent-Associés, ayant en vue d'établir solidement la colonie française, avaient résolu, pour cela, de lui donner la religion pour fondement."<sup>1</sup> Ferland makes a wider observation still. "Ainsi, la religion a exercé une puissante et salutaire influence sur l'organisation de la colonie française au Canada; elle a reçu des éléments divers, sortis des différentes provinces de la France; elle les a fondus ensemble; elle en a formé un peuple uni et vigoureux, qui continuera de grandir aussi longtemps qu'il demeurera fidèle aux traditions paternelles."<sup>2</sup>

These are two voices in a large chorus and the condition of things which they applaud undoubtedly prevailed, if we except the traders and the *courcurs de bois* from the rule of the clergy. Herein

<sup>1</sup> *Histoire de la Colonie Française*, Vol. I. p. 268.

<sup>2</sup> *Cours d'Histoire du Canada*, Vol. I. Introduction, p. v.

lies one virtue of the Jesuit Relations, that they correspond so well to the temper of colonial life. Before the coming of the Carignan Regiment the tone of Canadian society was ascetic. The discipline of Geneva under Calvin and Beza was not much more strict than the censorship which existed at Quebec under the Jesuits and at Montreal under the Sulpitians. A time came when *cabarets* were introduced, and in January, 1667, the officers encouraged gaiety by giving a ball. But every symptom of dissipation was checked wherever the church could carry out its aim of promoting piety and obedience. The first colonists were poor, hardworking and religious. It was impossible to be thought a good citizen without being devout and the language of devotion best conveys the reigning sentiment. The Protestant reader will find much of the Relations tedious or trifling because he is unable to draw edification from actions which the Romanist reveres. "A good old woman, who had found her Rosary that she had lost, said: 'Oh, how glad I am that I have found my Rosary! I lost it two days ago. During the whole of that time it seemed to me that I was sick at heart,—not only on account of my loss, but also because I no longer felt the cross striking against my heart as it used to do, when I carried my Rosary hung around my neck.' Such sentiments show that there is no longer any barbarism in these hearts, since love for the Cross dwells in them."<sup>1</sup>

This passage relates to a squaw and not to a Frenchwoman. Long chapters are filled with similar anecdotes about the holy words and deeds of the Christian savages. The piety of the colonists is less described for the mission is the absorbing subject, but the religious concord of the French is not forgotten. In 1640 the Relation announces a golden age which is marked by the reign of "peace, love and good understanding among our French people." "The principal inhabitants of this new world, desiring to preserve their innocence, have ranged themselves under the banner of the blessed Virgin, in whose honor they hear the Holy Mass every Saturday, often frequent the Sacraments of life, and lend ear to the discourses that are given them on the dignities of this Princess, and on the blessedness of the peace and union that bind them here below on earth, to render them one with God in Heaven." The caterpillars and grasshoppers of the previous season had been killed by processions and public prayers, while the birth of Louis XIV. was celebrated by a tragi-comedy which displayed "the soul of an unbeliever pursued by two demons who finally hurled it into a hell that vomited forth flames." One of the Algonquins present was so

<sup>1</sup> *Jesuit Relations*, Vol. XXV. p. 189.

impressed by the sight "that he told us two days later that he had been greatly frightened that night by a very horrible dream." Best of all, the savages were deeply influenced by the "good example of the chief men of the colony. Monsieur our Governor sometimes approaches the holy table with them; he honors them by his presence, coming to visit them at St. Joseph. Having learned that these good Neophytes were to receive communion on the day of the feast of our Father and Patriarch, St. Ignace, he came to perform his devotions with them in our Chapel of St. Joseph. Madame de la Peltrie was there at the same time, to be godmother to some children that were to be baptized. Was it not beautiful to see these worthy and titled persons mingling with the Savages,—and all together approaching Jesus Christ? This simplicity creates for us a golden age."<sup>1</sup>

During the days of Richelieu and Mazarin, New France presented many features of a theocracy and the Jesuit relations form a record which mirrors the spirit of obedience to King and Church. Such is their principal outlook towards the Old World whence the ideals of loyalty and worship were drawn. But if they belong to Europe by origin they belong to America by every other tie. Their range extends from Acadia to Wisconsin, from Hudson's Bay to the Mississippi. Ferland contrasts the advance of the Jesuits into the heart of the continent with the tarrying of the English upon the coastline of the Atlantic. Bancroft, in a passage which has grown too hackneyed for further quotation, exaggerates their forwardness by giving them priority over the beaver trappers. It is our great good fortune that they not only explored but described. They have left us a minute portraiture of the Indians and have interwoven S. J. with the annals of geographical discovery in North America.

The state of nature seems the less attractive the more we know about it. Had Rousseau been familiar with the traits of the American Indians as they were observed by Le Jeune, Brébeuf or Le Mercier, he might have seen reason to modify his praises of the primitive condition. The Jesuit Relations contain a multitude of details which cannot be construed to mean anything but filth,<sup>2</sup> superstition and the most devilish cruelty. Perhaps we must allow something for a natural prejudice against the unredeemed. The beastliness of the pagan sets off the piety of the convert. Otherwise we

<sup>1</sup> *Jesuit Relations*, Vol. XVIII. pp. 83-89. See also Vol. VI. pp. 102-106.

<sup>2</sup> See Biard's *Missio Canadensis* (*Jesuit Relations*, Vol. II. p. 78): "Peduncullos capitis quæsitant et in deliciis habent." Charles Lalemant uses the same illustration (*Jesuit Relations*, Vol. IV.): "De netteté chez eux il ne s'en parle point, ils sont fort sales en leur manger et dans leurs cabanes, ont force vermine qu'ils mangent quand ils l'ont prise."

can detect no bias in the mind of the fathers against the savages. They are indulgent towards the ignorance of the braves who scoff at them, and torture never extorts a revengeful word. To the Jesuit the aborigines were no more accountable for their actions than young children.<sup>1</sup> A display of resentment would have reduced the missionary to the level of his heathen charge. Accordingly he bore every blow without a murmur and kept himself from despising those whose salvation he was trying to secure. It follows that he did not write about the Indians with the object of doing their habits and reputations an injustice.

Broken illusions often have the same effect as malice in adding a sombre tone to the page of a traveller, but the Jesuits never felt that kind of admiration for the Indians which leads to a recoil. The squalor and degradation of the Micmacs were at once seized upon by Biard, and what Charles Lalemant thought of the Algonquins may be seen from the following words which occur in a letter to his brother Jérôme: "If a Frenchman has offended them, they take revenge by killing the first one they meet, without any regard for favors which they may have received from the one whom they attack. . . . Their conversion will give us no little trouble. Their licentious and lazy lives, their rude and untutored minds, able to comprehend so little, the scarcity of words they have to explain our mysteries, never having had any form of divine worship, will tax our wits."<sup>2</sup> Neither Biard among the Micmacs nor Charles Lalemant at Quebec were well acquainted with the native dialects and it was not until the third attempt of the Jesuits that the missionaries gained the means of learning how the mind of the red man worked. The Relations of 1632-1649—that is, from the first report of Le Jeune to the death of Brébeuf—bear witness to several fine qualities; <sup>3</sup> the endurance of the warriors and their calmness under torture, the dignity of the speeches at councils of the tribe, and the generosity that wins a man honor. Wider knowledge, however, did not materially alter the verdict of Biard and Lalemant, though

<sup>1</sup> The Relation of 1647 contains a long biographical notice of Isaac Jogues in which his feeling towards his Iroquois captors is fully explained. "Jamais il n'eust au milieu de ses souffrances, n'y dans les plus grandes cruautéz de ces perfides, aucune aversion contre eux, il les regardoit d'un oeil de compassion comme une mere regarde un sien enfant frappé d'une maladie phrenetique, d'autrefois il les contemploit comme des verges dont nostre Seigneur se servoit pour chastier ses crimes, et comme il avoit toujours aymé ceux qui le corgeoient, il adoroit la Justice de son Dieu, et honoroit les verges dont il le punissoit."

<sup>2</sup> *Jesuit Relations*, Vol. IV. p. 217.

<sup>3</sup> See, especially, the following passages in the *Jesuit Relations*: Vol. VI. p. 228; Vol. VIII. p. 126; Vol. X. p. 258; Vol. XVI. p. 200; Vol. XXV. p. 182; Vol. XXIX. p. 226.

it supplied somewhat different grounds of condemnation. The Indian of the Jesuit Relations, despite his craft and courage, appears to be more like a wild animal than a human being. The Iroquois resemble the panther and the Attikamégués, the hare ; but both are bound to barbarism by defects of nature and not by a love of noble simplicity.

From the Montagnais to the Natchez is a long flight and the Jesuits came in contact with many tribes. Of all the Indian races to whom they preached the Hurons and the Iroquois are the most prominent in the Relations besides being the greatest warriors of their respective regions. The Iroquois were the stronger and from their dealings with French, Dutch and English they reach a historical eminence which the Hurons do not share. In their country, too, the Jesuits had singular adventures and conducted their mission on a large scale. The double sacrifice of Jogues, the daring journey of Le Moyne and the escape from the Onondagas through the *festin à manger tout* were unsurpassed by any exploits of the Jesuits in North America. But still the classical period of the Relations comes between 1632 and 1649. The mission to the Hurons depicts every soul-stirring feature of Jesuit life among the Indians with the added attraction of novelty. The struggle with the language difficulty ending in success, the struggle with suspicion ending in partial success, the struggle with savage unbelief and malvolence ending at best in partial failure, the alternations of hope and despair ; all these trials and excitements mount to a dreadful tragedy, the overthrow of a nation and the ruin of a church which the Jesuits had created amid blood and tears. The climax of pathos is reached when Christopher Regnaut (a *donné* of the mission) having described the martyrdom of Brébeuf and Gabriel Lalemant, ends by apologizing for the rudeness of his style. "Ce n'est pas un Docteur de Sorbonne qui a composé cecy vous le voyez bien ; cest un reste d'Iroquois et une personne qui a vescu plus qu'il ne pensoit."<sup>1</sup>

The decay of the Indians through war, pestilence and hard drinking, can be plainly made out from the Relations, although it became more marked after 1673, when the Cramoisy series ended. The missionaries did their best to stop the brandy trade, which, long before Gladwin,<sup>2</sup> they saw was deadly to the natives. During the latter part of the seventeenth century Frontenac defended the traders on the plea that alliances would follow the drink wherever

<sup>1</sup> *Jesuit Relations*, Vol. XXXIV. p. 36.

<sup>2</sup> The Gladwin Manuscripts, edited by Charles Moore, in the *Michigan Pioneer and Historical Collections*, Vol. XXVII. p. 629.

it was, and that while the English sold rum to the Indians the French must be permitted to sell them brandy. Among the tragedies with which the Relations abound many are sadder but none is so relentless as the decline of those for whose sake the Jesuits entered the wilderness.

The Indians have their admirers and not every one will accept a sweeping condemnation of them. We have no wish to forget the mention of their better qualities which occurs from time to time throughout the Relations. The differences between the tribes were very great and any single statement about the barbarians of New France must have the weakness of neglecting profound distinctions. Still one feels safe in saying that poetical visions of the red men are unlikely to be prompted by reading the reports of the Jesuit missionaries. A further argument, we admit, may be brought against the worth of the Relations. It may be claimed that the Jesuits who disliked nomadic life and coveted the salvation of souls, did not understand the ambition of the Indians or grasp the objects of their higher affection. A recent reviewer of *Parkman's Life* raises a similar complaint: "His sympathies were narrow; his hostile and censorious attitude towards the life of the democracy of his own day explains why he shows in his works so little appreciation of the subtler traits of the Indian character."<sup>1</sup> If Parkman's eyes were closed, those of the Jesuits were closed before him. We all know how he prized the Relations and how he took them as an authority for Indian morals and customs. The Algonquins, the Hurons and the Iroquois may have cherished finer sentiments than the missionaries were able to discover but idealism did not adorn the routine of everyday existence either in the village or on the march.

Closely connected with the Indians is the large subject of Jesuit exploration. The fathers travelled in search of human beings and not of gold mines. Their first interest, therefore, is the good or bad disposition of a new tribe towards the faith. Local usages are cited to illustrate the state of mind which prevails and no detail of belief is found too trivial for description. After the religious practices have been noticed, information of every kind is given. The Relations appealed to the generosity of Catholic Europe and gifts often flow from awakened curiosity. Moreover it was impossible to journey through such a wonderful country without wishing to send home accounts of its inhabitants, its animals, its fish and even its mosquitoes. Hence the industry of the beaver, the white pelican's manner of fishing and the various fashions of head-gear worn by

<sup>1</sup> *Review of Historical Publications relating to Canada for the Year 1900.* Edited by Professor George M. Wrong and H. H. Langton. P. 72.



the natives are set forth with much liveliness. Had the Jesuits written for the purpose of creating a picturesque effect they might have told their acts of daring in a more vivid manner. The baldness of the Relations at moments when life and death issues are hanging in the balance, may detract from the excitement but it conveys an assurance of truth. "O, for a Jesuit Borrow on the shores of Georgian Bay or among the Mohawks," one might exclaim did he not remember that the manuscript would never have reached the office of Sebastien Cramoisy. As it is, a strong spice of adventure flavors almost every one of the narratives, defying the efforts of pious anecdote to mask it. Frequently strange or amusing incidents creep in. When Allouez and Dablon were preaching to the Indians of Green Bay the antics of their hearers nearly cost the missionaries their self-control. Two of the savages from a love of dignity sought to imitate sentries. They paced back and forth "with their muskets now on one shoulder and now on the other, striking the most astonishing attitudes, and making themselves the more ridiculous, the more they tried to comport themselves seriously. We had difficulty in refraining from laughter, although we were treating of only the most important matters—namely the mysteries of our religion, and what must be done in order not to burn forever in Hell."<sup>1</sup> The routes which the Jesuits took in going west, south and north are usually indicated by physical features, but at the present day the text is not always a sufficient guide. The topography of the Relations is obscure enough to arouse discussion and a time may come when it will provoke a battle royal of geographers, like the landfall of Columbus or the landfall of Cabot. In the meantime the courage of the Jesuit pioneer is gratefully remembered on all sides and the figure of Marquette which represents Wisconsin in the statuary hall of the Capitol need not seem an extravagant tribute to the memory of a Christian hero.

A complete review of the Relations would include some criticism of their style and an examination of the part which the Jesuits took in colonial politics. The fierce contests over tithes, over the excommunication of the brandy sellers and over the demand for permanent *curés*, besides affecting the mission more or less directly, help one to see the power of the Jesuits and the enthusiasm of the society for its work among the savages. These and kindred topics we must pass over in order to dwell before we close upon the noblest aspect of the series. We have called Marquette a hero and the Jesuit Relations are more than anything else a tale of heroism.

<sup>1</sup> *Jesuit Relations*, Vol. LV. p. 189.

The Canadian French have worthies whose names may well awaken the fires of patriotism; founders like Champlain and Maison-neuve; fighters like Dollard and d'Iberville; women like Jeanne Mance and Madeleine de Verchères. But neither by Frenchman nor *habitant* can the fame of the Jesuit missionary be dimmed. Without avowing much admiration for Loyola's views considered in themselves and without confessing that the spiritual benefits which accrued to the Indians equalled the sacrifices so freely offered, we ascribe the highest merit of the Jesuit Relations to their story of hardship and death. Much has been said and written about the courage of the Jesuit martyrs. One seldom observes the least desire to belittle it.<sup>1</sup> The only reason why we should lay stress upon it here is that it adds to the Relations an element of inspiration. The stripes which the missionaries bore for the filthy, cruel and indifferent savage are almost past belief. They tramped with him among the cedar swamps, they were asphyxiated by the smoke of his wigwam, they starved with him and, what was still more trying, they ate his food.<sup>2</sup> "It is," says Stevenson, "but a pettifogging pickthank business to decompose actions into little personal motives and explain heroism away." Among the Jesuits of New France one may look in vain for little personal motives, and to decompose a religious ideal into the impulses which have so often been called fanaticism and superstition would be least pleasant of all. The tortures of Jogues and Brébeuf are known everywhere and form a fertile theme for perorations. More obscure but no less glorious were Buteux's march through the melting snows of the Laurentians with the docile but wretched Attikamégues; the life of Druillettes among the Abenakis which won him the honor of Winthrop, Bradford and Eliot at a time when the general court of Massachusetts was forbidding the presence of the Jesuits within its jurisdiction;<sup>3</sup> and Crépieu's sufferings among the Montagnais of the

<sup>1</sup> M. Sulte, however, thinks the Jesuit mission to have been useless and likens the courage of the fathers to the foolhardiness of the Light Brigade at Balaklava. Believing, as he does, that the Jesuit invasion of the Iroquois country was a means of provoking raids upon the colony, he can even say: "Contre chacun des martyrs jésuites nous pouvons opposer quarante martyrs canadiens-hommes, femmes et enfants assommés, écorchés brûlés, tourmentés d'une manière aussi horrible que l'ont été les pères Brébeuf et Lalemant; mais l'Histoire ne s'en occupe presque pas. La raison de cet injuste oubli est tout entière dans la persistance que mettent les jésuites à glorifier, depuis plus de deux siècles, leurs martyrs dont ils font journellement un objet de réclame pour leur cause." *Histoire des Canadiens français*, Tome III. p. 144. See also, M. Sulte's *Réponse aux Critiques*, p. 6.

<sup>2</sup> "Vasa coquinaria non extergunt. Quo sunt crasso pingui magis oblita, eo melius, illorum judicio, nitent." Jouveny's *Canadicæ Missionis Relatio*. *Jesuit Relations*, Vol. I. p. 284.

<sup>3</sup> At a meeting of the general court of Massachusetts held May 26, 1647, the following measure against the Jesuits was decreed: "This Court, taking into considera-

Saguenay basin. Bravery is one great virtue, unselfishness is another. And when the two are joined in religious ministration to a species of mankind like the drunken Huron or the fiendish Iroquois, the record must be kept forever.

What we get from the Jesuit Relations depends in a more than ordinary degree upon what we bring to them. Often a book will test the reader's dullness or keenness of perception. But here the standard is not altogether that of literary talent or of historical insight. It is one of general outlook. The Relations are not merely narratives of individual experience and a magazine of antiquarian lore. They disclose with unusual clearness a certain form under which duty has presented itself to men, and there is no reason why they should not appeal to some hearts with all their original power.

Hic breve vivitur, hic breve plangitur, hic breve fletur ;  
Non breve vivere, non breve plangere retribuetur.

Almost every one who enters into the other worldly spirit will be apt to hold the Jesuit Relations at a higher price than could be set upon them by a disciple of Diderot or Huxley. We are speaking of the series broadly and not of every page. At intervals one meets with passages of undeniable dullness. The prattle of precocious converts and the petty details of the mission awaken less interest than the local allusions of an Elizabethan play. The style though clear and simple is seldom brilliant. Few of the fathers were endowed with great talents and fewer still had independent views. Yet all who revere heroism and who are touched by man's power to triumph over the weakness of his will must see in the Jesuit Relations something more than a treasury of historical facts.

At the Lenox Library visitors are allowed to examine a set of small but costly volumes. Size and price considered these outdo the *Climbers' Guides* of Conway and Coolidge which have been jokingly called "the dearest little books in the world." What was paid for them we need not inquire for that is the gossip of bibliography. They are the original Jesuit Relations, published by the Cramoisy press between 1632 and 1673. Fifty years ago when American history was less studied than it is now these little books were indispensable. Henceforth they will be rarely used. All they

tion the great wars and combustions which are this day in Europe, and that the same are observed to be chiefly rayseed and fomented by the secret practises of those of the Jesuiticall order, for the prevention of like euills amongst o'selves, its ordred, by the authorities of this Court, that no Jesuit or ecclesiasticall pson ordayne by the authoritie of the pope shall henceforth come within o' jurisdiction." The first offense was punishable by banishment and the second by death, except in cases of shipwreck. *Records of the Governor and Company of the Massachusetts Bay*, Vol. III. p. 112.

Contain and much more has become public property since Mr. Thwaites issued the seventy-first volume of his new edition.

In the present article we have spoken of the Relations alone. There remain among the works which the missionaries wrote about New France the *Journal des Jésuites* and many fragmentary papers. By collecting these under the head of "Allied Documents" Mr. Thwaites has increased the bulk of his series and enlarged its range. The Relations stopped suddenly in 1673. They had proved so popular<sup>1</sup> and the mission field was at the time so wide that the cause of their suspension seemed mysterious. Different plots were suspected and guesswork flourished until Father de Rochemonteix in his introduction went over the whole ground and produced a final reason. On April 6, 1673, Pope Clement X. by the brief *Creditee* forbade the publication of all books and writings about foreign missions "sine licentia in scriptis Congregationis eorundem cardinalium."<sup>2</sup> As an indirect result the Relations of New France were no longer printed, although for several years manuscripts were prepared.<sup>3</sup>

The Jesuits remained in North America until their society was suppressed by the Parlement and by the Pope. Even after the events of 1761-1773 a few of the fathers lingered on at Quebec and Montreal. Looking back from the end of the eighteenth century the last survivors of the Mission could survey a period of one hundred and eighty years which had passed since Biard and Massé came to Port Royal. Less than a third of this time had been covered by the Relations, if we begin with Biard, and less than a fourth if we begin with Le Jeune. Mr. Thwaites's edition is conceived in a generous spirit. It embraces the entire term of Jesuit residence and it seeks to present all the original documents which are available for publication. We mean no disparagement when we say that most of the material and the best of it has been printed before. It was scattered, it was expensive and it was not in any sense ready for general use. Fresh records are always welcome, but before the discovery of new stores an editor of the old ones was needed.

The two hundred and thirty-eight pieces which Mr. Thwaites has collected from a vast body of information and, unless the Jes-

<sup>1</sup> The contemporary vogue of the Jesuit Relations, though not a subject of frequent allusion in the literature of the seventeenth century, was great. One may see from his autobiography how Chaumonot was stirred by reading Brébeuf's description of the Huron mission. Carayon's edition, 1869, p. 20.

<sup>2</sup> Rochemonteix. *Les Jésuites et la Nouvelle-France*, Vol. I. Introduction, p. xlv.

<sup>3</sup> Some of these were published in Douniol's *Relations Inédites*, Vols. III. and IV. of which were edited by Father Felix Martin, Paris, 1861. The title of his supplementary series is *Mission du Canada. Relations Inédites de la Nouvelle-France (1672-1679) pour faire suite aux anciennes Relations (1615-1672)*.

uits produce their reserves, the future does not promise us a large supplement to it. An inventory of the contents would fill several pages and the briefest analysis would carry us beyond the limits of our space. This much may be said, that the *Relations* are the chief element in the series. The *Journal des Jésuites* comes next and then follows a group of letters from the missionaries to their friends or to the officials of the society. While these constitute the bulk of the work the miscellaneous pieces are by no means few or trivial. More than one hundred of the documents have been printed directly from the manuscript or from an apograph and a good many have never before been published. Mr. Thwaites has not been hindered by lack of sympathy. As can be seen from his acknowledgments aid has been freely offered. His deepest debt is to the Canadian Jesuits and especially to Father Arthur Jones, the archivist of St. Mary's College at Montreal. In France he has drawn from the *Archives des Colonies, des Affaires Étrangères de l'École de Ste. Geneviève* and from the *Archives Nationales*; in Canada, outside of St. Mary's, from the manuscripts of Laval University, of the Legislative Assembly at Quebec, of the Ursulines, of the archbishopric of Quebec and from copies contained in the Dominion archives; in the United States from the originals and copies of the Congressional Library and from private collections. The important document CX. (*a Déclaration des Terres*) he found in the *Archives Nationales*. He did well by Wisconsin in laying hold of the "*Voyages du P. Jacques Marquette*," and the Reverend A. Carrère of Toulouse transcribed for him a letter of Jean Enjalran. A prefatory note describes the source, whether manuscript or printed, from which each piece is taken. At the end of Douniol's *Relations Inédites* one may draw a dividing line. For the period before 1680 Mr. Thwaites reprints, for the most part, works which are no longer new. After that date the authorities tend to become poorer but the proportion of rare and unpublished material increases.

We shall not dwell long upon the beauty of type and paper which recommends this edition to the amateur. Ten years ago nothing so good could have been expected and nothing better could now be asked for. Nor in looking at the printed page should we forget the editor. While the publishers have fulfilled the promises of their prospectus, Mr. Thwaites has watched the proof-reader and taken pains to secure a perfect text. Those who read the *Relations* now can do so with the feeling that old slips and blemishes have not been taken out for the sake of appearance. The translation can also be praised, though in straining after literal accuracy it has now and then dropped below the standard of smooth English. The

chapter of errata at the close of Volume LXXI. includes a number of corrections to which we could add a short list were we convinced that the slips in question were serious blemishes.

Mr. Thwaites has earned the right to have his name linked permanently with the *Jesuit Relations*. He undertook a heavy task and its completion should bring him hearty thanks. Perhaps the difficulties can best be measured by the unwillingness of Canadian historians and of the Jesuits themselves to reprint the *Relations* in suitable form. The cloisters of Quebec and Montreal still nurture men whose acquaintance with the life of the Old Régime would have fitted them for editorial duties, and as for the French Jesuits Father de Rochemonteix has shown a mastery of all the literature affecting the Canadian mission. But either from lack of courage or the scepticism of publishers, Mr. Thwaites and the enterprising firm which supported him have been left to take the credit. The project was often discussed in Canada, its importance was everywhere admitted—and nothing resulted except the three fat volumes of 1858.

If criticism did not consist mainly of faultfinding, the reviewer's trade would be gone. In casting about for some ground of complaint against this excellent series, we think first of its bulk and then of the specialized knowledge which a commentary upon it demands. Its parts might almost have been edited, as the publications of the Hakluyt Society are edited, by separate individuals. Mr. Thwaites has a thorough grasp of colonial history and his notes prove it. From them we see what can be accomplished by the researches of one scholar, working single-handed at a great subject. He has, however, been at one disadvantage in writing about the affairs of French Canada from a distance, and at another in having to traverse so wide a territory. The most serious mistake which we have noticed is his acceptance of the theory that the *Relations* were brought to an end through the influence of Fontenac.<sup>1</sup> The comment inclines to err, where it errs at all, upon the side of neglected opportunity rather than of inaccurate statement. We suggest this cavil with a sense of reluctance and without allowing it much weight. It is the one adverse criticism which can be made and it is really a tribute to Mr. Thwaites's success. He alone has done nearly all that could have been accomplished by a staff of editors. His work besides being designed on a grand scale has been carefully wrought out. It is a fine achievement and it will always be held in honor.

CHARLES W. COLBY.

<sup>1</sup> *Jesuit Relations*, Vol. I. Introduction, p. 41. "The series was discontinued probably through the influence of Fontenac, to whom the Jesuits were distasteful."

## GROWTH OF REVOLUTIONARY PARTIES AND METHODS IN NEW YORK PROVINCE

1765-1774

IT has been seen that the new methods in nomination in New York province found their origin in the growth of the democratic spirit during the middle and last half of the eighteenth century.<sup>1</sup> The tendency of the coming consciousness of equality was to cut into the old factions based on personal influence, and to reorganize parties on a basis of principle. The Revolution gave this movement a great impetus by hastening—to some extent by completing—this change, and by teaching a minority the necessity of organization and the uses of political machinery; the Revolution was the culmination in theory, and in fact to a considerable extent, at least in New York, of the effort of the masses to pull down authority from the top and place it upon the ground. In theory and in practice the masses, for the time being, got vital control of the business of governing. The lessons of the Revolution in this respect were incalculable, and no consideration of the nominating convention can be complete or intelligible without taking them into account. It will be necessary therefore to indicate the development of the Revolutionary parties in New York, to follow the changes from the old personal factions through the early inchoate divisions of the Stamp Act and Tea Act period, to the later well defined separation into radicals and conservatives. It is the design of this paper: (1) to trace the origin of these two factions up to the time when they began the contest for directing and shaping the Revolutionary movement in New York; (2) to indicate incidentally the development of the popular extra-legal organization through which this directing and shaping influence was later exercised, largely through the nomination of candidates to the most important Revolutionary offices within the gift of the people.

In reality the anti-British struggle of the early Revolutionary period was a continuation of the anti-British struggle which had been going on since the administration of Governor Cosby in 1732. Until that time the administration of colonial New York, from the

<sup>1</sup> See article entitled, "Nominations in Colonial New York," *AMERICAN HISTORICAL REVIEW*, January, 1901.

point of view of British control, had been comparatively mild and indifferent. Party conflicts within the province had been largely personal. In so far as they were religious or political, they were an imitation, to a very considerable extent, of similar conflicts in the mother country. The bitter Leisler factions which disturbed New York for more than a quarter of a century were the outgrowth in the province of the English Revolution of 1688; and in this struggle political, religious and personal motives were inextricably mixed. Occasionally a governor like Bellomont made himself disliked, or one like Cornbury made himself despised. It is true also that even from the first there were two questions which served to divide the governor and council as the representatives of the British government, from the assembly as the representative of the colony; these were the question of enforcing the laws of trade and the question of controlling the colonial revenue. Bellomont indeed aroused disfavor by trying to enforce the former, while Cornbury and Hunter met a stubborn resistance in their efforts to reduce the power of the assembly over the appropriation of money and the control of the governor's salary. But the laws of trade were not an irritating question after Bellomont's time, and the matter of the revenue was compromised in 1715, during the administration of Governor Hunter. It was not, therefore, until the time of Cosby and Clarke and Clinton, that the anti-British party began to crystallize around the assembly, and the pro-British party around the governor. It was at this time that the growing democratic spirit, the coming consciousness of equality, a certain feeling of political self-sufficiency, resulted in a more jealous watchfulness of every claim put forth by the governor, and in an increasing tendency to look upon the governor as the agent of a power more or less foreign, if not actually hostile, to the colony's interests.

During the years from 1732 to 1760, the principal questions which were dividing parties into British and anti-British were the freedom of the press, the freedom of the judiciary from British control, the binding force of royal instructions and executive decrees, the frequency of elections, the appointment of colonial agents to England, and the control by the assembly of the revenue and, through the revenue, of the administration of the laws.

The question of the control of the revenue by the assembly had, as we have seen, come up before. All through the administration of Fletcher and during that of Cornbury and of Hunter, the assembly had carefully guarded what it considered its rights in this respect; it refused to grant revenue at the request or the demand of the governor; it refused to grant a life salary to the governor; it refused



to allow the council to amend money bills ; it insisted upon an elective treasurer. In this early struggle the assembly showed even the tendency, so manifest later, to interfere in the administration of the laws by specifying more or less minutely the purposes for which, and the methods and agents by which, the money was to be expended. But in the later period the quarrel was renewed and intensified ; its full bitterness was not experienced until the period of the Indian wars of Governor Clinton's administration. During these years the policy of the assembly was clearly defined ; it would not only control the levying of taxes, but it would also control appropriations and expenditures. By specifying minutely the methods and agents by which the money that it appropriated was to be expended, independent or discretionary power in the administration and execution of the laws was materially weakened if not destroyed. The persistent policy of limiting appropriations to one year made frequent sessions of the assembly a practical necessity,<sup>1</sup> while the struggle for frequent elections, which lasted some years, finally culminated in the Septennial Act of 1743.<sup>2</sup> The virtual helplessness of the governor led to a bill in Parliament proposing to give the force of law to royal instructions. It was to resist the passage of this bill that the assembly appointed two agents to England, and raised five hundred pounds for their expenses ;<sup>3</sup> at a later time the assembly took the matter of the agency into its own hands through the appointment of an agent by resolution without consulting the governor, providing for his salary by a rider to the salary of the governor himself.<sup>4</sup> The freedom of the press was vindicated in the famous and somewhat dramatic trial of Zenger, the effect of which, in fostering the spirit of resistance to what was considered oppression, can hardly be overestimated.<sup>5</sup> Finally, the question of the freedom of the judiciary from British control, or more directly from the governor's control, was at issue in the Cosby-Van Dam controversy ;<sup>6</sup> it was a matter which the people watched with jealous care, and every attempt of the governors to interfere in any way with the judicial arrangements was resisted stubbornly.

<sup>1</sup> See the address of the assembly, September, 1737, wherein the assembly frankly assured the governor that no appropriations would be made for a longer period than one year. *Assembly Journal*, p. 706.

<sup>2</sup> *New York Colonial Documents*, VI. 136 ; Schoonmacher, *History of Kingston*, 118. The first act, passed December 16, 1737, provided for triennial assemblies with yearly sessions. *Laws of New York*, Chapter 650. Disallowed by the King November 30, 1738. *New York Colonial Documents*, VI. 136.

<sup>3</sup> *Laws of New York*, Chapter 788.

<sup>4</sup> See Tanner, "Colonial Agencies in England," *Political Science Quarterly*, XVI. 43.

<sup>5</sup> Pasco, *Old New York*, II. 52 ; *Memorial History of New York*, II. 237 ; Lamb, *History of New York*, I. 557 ; Thomas, *History of Printing*, II. 100.

<sup>6</sup> *Memorial History of New York*, II. 583.

Such were the questions which were forming the British and anti-British parties. At first these questions were viewed very largely from the old standpoint of personality. With the governor stood De Lancey and the powerful following which he controlled; with the assembly went the party of Livingston, supported by the able lawyers William Smith and John Morin Scott, and by very nearly if not quite all the rising young men of the day.<sup>1</sup> Increasingly this latter party shaped and guided the growing interest of the people in political questions. To counteract the mild influence of the court paper, Bradford's Gazette, Zenger's Journal was established; it became the mouthpiece of the anti-court party, and gave utterance to those views, wise or unwise, which it was thought would serve to win for that party the popular support. And not indeed without avail; the popular party gained steadily as it backed up the assembly in its resistance to the governor.<sup>2</sup> More or less steadily the purely personal element died out. Before 1750 De Lancey himself was at odds with the governor.<sup>3</sup> The old court party became demoralized. In 1750 the so-called Whig club was formed, and for many years the popular party was distinctly in the lead. When the Stamp Act

<sup>1</sup> Van Dam was supported in the trial with Cosby by William Smith and James Alexander. Of the three judges, De Lancey and Philipse were for Cosby, but the chief justice, Lewis Morris, was for Van Dam. Morris very soon after lost his judgeship which went to De Lancey, but he then stood for Westchester county for the assembly, and won in a contest which excited more popular interest than perhaps any election ever held in New York province. From this time, and more especially after the Zenger trial, the De Lancey faction became more avowedly the court party, while its enemies espoused upon every occasion the popular side. *Memorial History of New York*, II. 217, 233, 583; Bolton, *History of Westchester County*, I. 136; Valentine, *History of New York*, p. 264; *New York Journal*, November 5, 1733.

<sup>2</sup> *Memorial History of New York*, II. 248, 249, 262; Broadside dated August 25, 1750, in the New York Historical Society Library, Vol. I. of the collection; *New York Colonial Documents*, VI. 247, 417, 578; Onderdonk, *Queens County in Olden Times*, pp. 21, 31, 33; Smith, *History of New York*, II. 37; Stone, *Life of William Johnson*, I. 39, 157; Valentine, *Manual of the Corporation*, 1865, p. 779; 1866, p. 703; *New York Weekly Post Boy*, June 24, 1745.

<sup>3</sup> *Memorial History of New York*, II. 261, 296. "Nothing could have been so unhappy," writes Clinton to the Duke of New Castle, Feb. 13, 1748, "for this province and myself, as the unexpected promotion [of De Lancey to the Lt.-Governorship] which became known when the elections were coming on for a new Assembly. Wherein I had carried the choice of several members for the counties that were well attached to his Majesty's interest . . . and should have succeeded with several others, but that messengers were immediately dispatched throughout the province with the news of Mr. De Lancey's being made Lt.-Governor, which damped the inclinations of all my friends, as dreading the exorbitant power and resentment of this man." *New York Colonial Documents*, VI. 417. Again in 1750, Clinton laments that nothing has been done that he desired, for the encouragement of those that remained faithful. Otherwise, "I make no doubt but that every man of the Faction would have been left out of this election . . . and this notwithstanding that I am informed that Chief Justice De Lancey is gone into the country, since the writs issued, personally to influence the people in their election." *Ibid.*, 578.

was passed the popular party controlled the assembly and the province; the letters of Lt. Governor Colden reveal his helplessness.<sup>1</sup>

The Stamp Act raised the first of a series of questions which were to complete the formation of the Revolutionary parties in New York province and state. The popular party of Livingston was then in control of the assembly. Of the four well marked classes into which New York society was divided, three of them—the land owners, the professional classes and the merchants—were closely united in interests through business and family relationships.<sup>2</sup> Opposition to the governor and council as the agent of the British government had come to be recognized as the cue in all political questions. When the Stamp Act came, the opposition which had been directed against the agents of the home government, was transferred to the home government itself. The conflict was felt to be more or less a continuation of the old one which had engaged the colony for so many years; it was merely a new act of oppression against which was directed the whole force of the popular party, which meant at first nearly the whole force of the colony.

The lead in the opposition was at first taken by the assembly. As early as October 18, 1764, the assembly had ordered that the committee which had been appointed to correspond with the assembly's agent in England, should also be a committee to correspond with other assemblies with reference to the late acts of Parliament on the "trade of the northern colonies."<sup>3</sup> The next year when the

<sup>1</sup> See *Colden's Letter Book*, I. 187, 231, 362, 422, 468; II. 68, 86. (New York Historical Society Collections, Vols. IX. and X.)

<sup>2</sup> The following division into classes is taken from Lieutenant-Governor Colden's report on the state of the province in 1765. "The people of New York are properly distinguished into different ranks. (1) The proprietors of the large tracts of land who include within their claims from 100,000 acres to above one million of acres under one grant. Some of these remain in one single family. Others are by devises and purchases claimed in common by considerable numbers of persons. (2) The gentlemen of the law make the second class in which are properly included both bench and bar. Both of them act on the same principles, and are of the most distinguished rank in the policy of the province. (3) The merchants make the third class. Many of them have rose suddenly from the lowest rank . . . to considerable fortunes, and chiefly in illicit trade in the last war. They abhor every limitation of trade . . . and therefore gladly go into every measure whereby they hope to have trade free. (4) In the last rank may be placed the farmers and mechanics. Though the farmers hold their land in fee simple, they are, as to condition of life, in no way superior to the common farmers in England. This last rank includes the bulk of the people and in them consists the strength of the province . . . The gentlemen of the law are either owners, heirs, or strongly connected in interest with the proprietors." *Letter Book*, II. 68-70. Likewise the merchants were for the most part, "strongly connected with the owners of these great tracts by family interest." Colden to the Lords of Trade, September 20, 1764. *Ibid.*, I. 363.

<sup>3</sup> *Assembly Journal*, II. 780. In his *History of Westchester County During the American Revolution*, Mr. Dawson points to this committee, with a certain note of triumph illustrative of a curious provincialism, as the first of the Revolutionary committee.

Stamp Act raised an opposition which carried away nearly all classes alike, the movement in New York was still directed by the assembly. It approved the plan of a congress of delegates to consider the matter and decide upon measures of resistance, which had been suggested by the assembly of Massachusetts, and it provided for the appointment of delegates to represent New York by referring the whole matter to the committee of correspondence that had already been named.<sup>1</sup> Thus until October 28, the day on which the congress adjourned, the opposition to the Stamp Act was distinctly in the hands of the leading men of the colony outside of the small remnant of the governor's party. As a movement it represented the property, professional and commercial interests of the province. But from this date the resistance takes on a more radical character; especially in the city of New York where the Revolutionary movement centered from first to last, it was more and more dominated by the lowest of the four classes—the unfranchised mechanics and artisans, the "inhabitants." As a result we find the propertied and commercial classes began soon to draw back and assume a more conservative attitude. The organization which represented the unfranchised class, and assumed the leadership in this more radical phase of the movement, was the so-called "Sons of Liberty."

The origin of the Sons of Liberty is somewhat in doubt. According to Governor Colden, whose statement has been followed by Dawson, the society was the outgrowth of an organization of the lawyers in 1750, whose object from the very first was political and revolutionary.<sup>2</sup> This is, however, probably far fetched. The papers

of correspondence. "Six years before Massachusetts appointed her faint hearted committee, whose fear of Great Britain prevented the preparation of even a single letter, and nearly nine years before that celebrated meeting at the Raleigh Tavern, Richmond, where Virginia gave birth to her first born, the Assembly of New York originated the movement and appointed a committee of correspondence with Robert R. Livingston at its head." p. 63. See also, p. 61 n. If it is a question of origin in mere form, one may equally well go back to the committee of safety of the Leisler régime, or to the committees of safety of the English civil war. See Leisler Narrative, *New York Colonial Documents*, III. 670.

<sup>1</sup> Colden's *Letter Book*, II. 35.

<sup>2</sup> "After Mr. Delancey had, by cajoling Mr. Clinton, received the commission of Chief Justice during good behavior, the profession of the law entered into an association, the effect of which your lordship had formerly opportunity of observing in some striking instances. They purposed nothing less to themselves than to obtain the direction of all the measures of the government, by making themselves absolutely necessary to every governor, in assisting him when he complied with their measures and by distressing him when he did otherwise." Colden to the Earl of Halifax, February 22, 1765. Colden's *Letter Book*, I. 469. Quoted in Dawson, *The Sons of Liberty in New York*, p. 40 n. "As early as the year 1754 there were men in America, I may say in the towns of Boston, New York, Philadelphia, and Williamsburg, who held independence in prospect." Examination of James Galloway, *New York Journal*, October 25, 1779. "The gentlemen of the law some years since entered into an association with intention, among other

of John Lamb, one of the moving spirits of the society of the Sons of Liberty, indicate little if any connection between the two organizations; from these papers it appears that the Sons of Liberty were formally organized shortly after the passage of the Stamp Act, as a secret society which did not assume an open and public character until some years later.<sup>1</sup> Neither is it strictly true, as Dawson maintains, that they directed the whole struggle. Livingston, Smith, and John Morin Scott, who were prominent in the early part of the Stamp Act trouble, do not appear to have been connected with the Sons of Liberty, in any active capacity even at the first, and certainly at a later time the leaders in the society were the more radical spirits, like Lamb, Sears, Wiley, Robinson, and the notorious Alexander McDougall. What is true is that the Sons of Liberty represented the lowest of the four classes, the artisan and laboring classes of the city, and that they directed the conflict in so far as popular agitation and mob violence formed a part of it.<sup>2</sup>

This mob violence and popular agitation, during the Stamp Act episode, reached a climax from the 1st to the 3d of November, as a result of the arrival of the stamps at Fort George. The mob went through the city crying "liberty," destroying property, and burning in effigy certain persons high in authority, including the governor

things, to assume the direction of the government upon them, by the influence they had in the Assembly, gained by their family connections and by the profession of the law, whereby they are invariably in the secrets of many families. Many court their friendship, all dread their hatred. By these means, though few of them be members, they rule the Assembly in all matters of importance." Colden's Report on the state of the province, December 6, 1765. *New York Colonial Documents*, VII. 796.

<sup>1</sup> "The association of the Sons of Liberty was organized soon after the passage of the stamp act, and extended throughout the colonies." Leake, *Life and Times of General Lamb*, p. 2. See also, *Memorial History of New York*, II. 347, 374.

<sup>2</sup> The members of the committees, fairly expressive of leadership in the society it may be supposed, are given by Leake as follows: — *New York City*: John Lamb, Isaac Sears, William Wiley, Edward Laight, Thomas Robinson, Flores Bancker, Charles Nicoll, Joseph Allicoke, and Gershom Mott. *Albany*: Jeremiah Van Rensselaer, Myndertse Raseboom, Robert Henry, Thomas Young. *Huntington*: J. S. Hobart, Gilbert Palter, Thomas Brush, Cornelius Conklur, Nathaniel Williams. *Life and Times of General Lamb*, p. 4. See also, *House Journal*, January 7, 1848; and, Sears, *Pictorial History of the United States*.

The first popular meeting of importance was called by the merchants. On the 17th of October, 1765, the following notice appeared in the *New York Gazette*:—"A meeting of the friends of liberty and the English Constitution, in this city and parts adjacent, is earnestly desired by great numbers of the inhabitants, in order to form an association of all who are not already slaves, in opposition to all attempts to make them so." Soon after, October 31, a meeting was held, probably as a result of this notice, at George Burns's inn. Resolutions agreeing not to ship English goods until the Stamp Act was repealed were signed by some 200 merchants. *New York Gazette*, November 7, 1765. Leake states that the meeting also appointed a committee of correspondence, of five members, all Sons of Liberty. *Life and Times of General Lamb*, pp. 14, 15. The *Gazette* does not mention it. See also, *Memorial History of New York*, II. 367 n.

himself.<sup>1</sup> But opposition of this sort was not to the liking of the propertied classes, however much they may have disapproved of the levy and collection of the stamp tax. A little rioting was admirable it is true, so long as it remained entirely under their own control and was directed to the one end of bringing the English government to terms. But when the destruction of property began to be relished for its own sake by the classes which were propertyless, and when the cry of liberty came loudest from those who were most conspicuous for their lack of all political privileges, it seemed well to draw back; these men might not cease their shouting when purely British restrictions were at an end. The ruling class in New York saw clearly that "liberty" and "no taxation" were arguments which might be used with as great potency against themselves as against the home government—arguments which indeed the unfranchised classes were already making use of. Consequently on Monday, the 4th of November, the mayor and several leading citizens, among them Livingston, attended a council called by the governor. The governor promised not to deliver or suffer to be delivered any of the stamps in Fort George. This promise was affixed to a statement purporting to express the satisfaction of the "Freemen and Freeholders," and their further determination to keep the peace until other causes of conflict arose; the document was signed by Livingston, Cruger, Beverley, Robinson, and J. Stevens, printed on a broadside, and circulated throughout the city. But in spite of the fact that the proposition bore the names of Beverley and Robinson, the "people" were not satisfied. It was demanded that the stamps be delivered to the corporation, and a popular meeting was called for the 5th of November. The common council then took the initiative; a committee was sent to the governor, and the stamps, in return for a receipt, were taken and lodged in the city hall. The mob dispersed.<sup>2</sup>

This reaction of the propertied classes<sup>3</sup> against the more rad-

<sup>1</sup> "31st October, 1765. Several people in mourning for the near issue of the stamps, and the interment of their liberty. Descended even to the Bag-Gammon boxes at the Merchants Coffee House being covered with black and the dice in crape. This night a mob in three squads went through the streets crying 'liberty,' at the same time breaking the lamps and threatening particulars that they would the next night pull down their houses." *The Montresor Journals* (New York Historical Society Collections for 1881), p. 336. For a further account of the doings of the mob, especially the burning of the governor in effigy, see *Colden's Letter Book*, II. 54; *Memorial History of New York*, II. 360; *Montresor*, p. 337.

<sup>2</sup> *Memorial History of New York*, II. 363. For the receipt which was given, see *Colden's Letter Book*, II. 57.

<sup>3</sup> While the propertied class was seconded to some extent, in this reactionary movement, by the merchants and the lawyers, it is still true that the land owners were at this date the prime movers in the reaction. The main body of the merchants certainly assumed

ical methods of the Sons of Liberty, which was also a feeling of jealousy at the interference of the lower classes in politics, was attended with more success in the matter of instructing the city's representatives in the assembly. The leaders now made use of their experience in political methods to secure success by a little diplomacy, where, in point of mere numbers, they were very likely at a disadvantage. On the 25th of November, certain of the leaders of the radicals, after consultation, posted a notice about the city, according to their custom, calling a meeting of the freemen and freeholders for the purpose of considering the matter of issuing instructions to their representatives.<sup>1</sup> On the day appointed the conservative leaders, it appears, attended the meeting in considerable numbers, and by an ingenious device appointed their own committee, laid aside the originally prepared instructions, and adopted less radical ones in their stead.<sup>2</sup> The following day their committee in person presented the instructions to the assembly.<sup>3</sup>

a conservative attitude only at a later date; as for the lawyers, some ultimately became Tories others remained with the radical party. "The lawyers leveled at . . . to be at the bottom of this disgraceful insurrection." "The lawyers deemed by the people here to be hornets and firebrands . . . the planners and incendiaries of the present rupture." *The Montresor Journals*, p. 339.

<sup>1</sup>"LIBERTY PROPERTY AND NO STAMPS! A general meeting of the freeholders, freemen, and inhabitants of the city and county of New York is desired on Tuesday afternoon, at the house of Mr. Burns . . . in order to agree upon some instructions to be given to their representatives in the general Assembly." *New York Mercury*, December 2, 1765. See also, *The Montresor Journals*, p. 340.

<sup>2</sup>When the meeting had assembled, "one or more of the company, supposed to be previously instructed, proposed some particular gentlemen present to be appointed a committee for the county. These gentlemen, without the general assent of the people, agreed to the proposal on condition they might be joined by several other gentlemen present who were named." The unexceptional character of the men named prevented any exception being taken to them. Thus the men first appointed, who seemed the prime movers but were not at all, took the lead and diverted the meeting from its original design. *New York Mercury*, December 2, 1765. The instructions which the meeting drew up expressed the belief that it could not be unreasonable, in these troublous times, for constituents, "in this constitutional way," to urge upon their representatives the need of watchfulness in the public interest, and proceeded to point out the dangerous tendency of the duties recently levied, etc. *New York Gazette*, November 28, 1765.

<sup>3</sup>The committee included William Livingston, William Smith, James DeLancey, and John Morin Scott. For the whole list, see *New York Gazette*, November 28, 1765. They were received kindly by the assembly, and were assured that the matter had already been taken into consideration. *Ibid.* About a month later the assembly passed resolutions embodying the instructions of the committee, but adding a profession of allegiance to the King. *Ibid.*, December 26. On the very day that the above instructions were presented to the assembly, November 26, a curious anonymous document was received by that body, which was also in the nature of instructions. It was not the resolutions which were originally prepared for the meeting of the 26th of November (for these, see *New York Mercury*, December 2, 1765), but was the work of some of the Sons of Liberty, or of individuals calling themselves such. The document was delivered to the clerk of the assembly in a sealed envelope, and when opened read as follows:—"Gentlemen of the House of Representatives you are to consider what is to be done first drawing of



After this rebuff the Sons of Liberty threw off the mask of secrecy, declared themselves the true representatives of the city and county, complained that they were not being supported by the best element of the people, and discussed the question as to whether the stamps in the state house should be burnt or sent back to England.<sup>1</sup> The first factional divisions of the Revolution were becoming clearly marked.

The result of the Stamp Act episode in detaching the propertied classes and especially the landed classes from the more radical followers of the Sons of Liberty, was thrown into strong relief by the elections of 1768 and 1769. In both of these elections the popular party of Livingston was defeated, and the royal or court party of De Lancey for the last time gained control of the assembly. It is true the moderate measures of resistance to the Stamp Act, which were also the most effective ones, had been carried through by the Livingston party in control of the assembly; but that party was at first hardly distinguishable from the mob element, and never perhaps became completely differentiated from it. It followed as a natural

as much money from the Lieutenant Governor's sellery as will Repare the fort and on spike the guns on the Battery & the nex a Repeal of the gunning act & then there will be a good Militia but not before and also as you are a setting you may consider of the Building act as it is to take place next yeare wich it Cannot for there is no supply of some sort of the materials Required this law is not ground on Reasons but there is a great many Reasons to the contrary so gentlemen we Desire you will do what Lays in your power for the good of the public but if you take this ill be not so conceited as to say or think that other people know nothing about government you have made these laws & say they are Right but they are Rong & take away Liberty, Oppressions of your make gentlemen make us SONS OF LIBERTY think you are not for the public Liberty, this is the general opinion of the people for this part of your conduct By order signed one and all, FREE-DOM." *Documentary History of New York*, III. 495 (ed. 1850-1851). The assembly voted the letter scandalous and offered a reward of £50 for the detection of the author. Dawson, *The Park and its Vicinity*, p. 15 note.

<sup>1</sup> "23rd. (Dec., 1765) Assembled a mob for householder's votes—yea or nay to burn the Stamps or send them to England back. Undetermined." *The Montresor Journals*, p. 343. "4th Feb., 1766. Meeting of the Libertines, who seem to decline, being much concerned that the gentlemen of property in the town dont publicly join them. They formed a Committee of Correspondence with the Liberty Boys of the neighboring Provinces." *Ibid.*, 348. For the further activity of the Sons of Liberty during this period, see *Memorial History of New York*, II. 374; *New York Gazette*, January, 2, 9, 17, 23, 30, and February 6, 1766; *New York Mercury*, February 17, 1766; Onderdonk, *Documents and Letters Intended to Illustrate the Revolutionary Incidents of Queens County*, pp. 13, 14. "Our political affairs are in great confusion. Today will be decided if the moble will command the town or will be subjected to the better sort of citizens. The latter are called by the Mayor and corporation to meet at 11 o'clock at the city hall to resolve upon the point. The Sons of Liberty, so as they stile themselves, pretend to take by arbitrary force the stamps out of the town house and send them to England. . . . The last resolves of the Assembly concerning the present circumstances are very well. Why have they not been so moderate long ago? The effect would have been favorable and their conduct honorable. We set the house afire and then endeavour to put it out." Peter Hasenclerer to William Johnson, New York, December 23, 1765. Johnson MSS., II. 279.



consequence that the party had to bear the discredit of the whole movement, the most clearly remembered features of which were mob violence and lawlessness. The assembly, thus placed in the hands of the reactionists, became more and more conservative and royalist in character. Its influence decreased steadily until it was replaced by the popularly established government known as the Provincial Congress.

The Townsend Act, which followed close upon the repeal of the Stamp Act, aroused much the same sort of opposition from the Sons of Liberty as the Stamp Act had done. Even the merchant class had not yet been entirely detached from the radical party. But they were nevertheless somewhat more cautious in their resistance, and acted to some extent by themselves. An agreement was drawn up and signed by nearly all of the merchants of New York, in which they pledged themselves not to import anything more from England until the duties were repealed. For those who broke the agreement boycott was to be the punishment. The enforcement of the agreement was placed in the hands of a general committee of one hundred.<sup>1</sup> Having determined upon this policy the merchants settled down to await the repeal. Meanwhile popular agitation and resistance, which were continued largely under the direction of the Sons of Liberty, were directed against the assembly in the proportion to which that body became reactionary and royalist. The Sons of Liberty exercised themselves dramatically in erecting liberty poles, quarrelling with the soldiers,<sup>2</sup> arousing opposition to the acts of the assembly, urging their views upon the city's representatives by means of instructions,<sup>3</sup> and illustrating in many ways the

<sup>1</sup> *New York Mercury*, September 12, 1768.

<sup>2</sup> See *New York Colonial Documents*, VIII. 208; *Colden's Letter Book*, II. 211. Broad-sides entitled "To the Public," and, "To the Inhabitants of the City," in the New York Historical Society Library, volume one of the collection of broad-sides. *New York Mercury*, February 5, 1770; Leake, *Life of Lamb*, p. 54, *et seq.*

<sup>3</sup> The practice of drawing up instructions to representatives was a natural accompaniment of the coming political self-consciousness of the unfranchised classes. Almost inevitably the electors in a republican government look upon their representatives as mere agents of their own will; inevitably they will try to shape and control legislation by forcing this will upon their representatives. Instructions furnished the first method used by the popular element in America for controlling their representatives in this respect. The perfected nominating convention, with its platform, represents a later and perhaps a more efficient method. The practice of giving instructions was very common during the period under consideration. The "great majority of the freeholders of Queens and Suffolk counties" were pleased with the action of their representatives relative to the British acts of oppression, but directed them further to counteract the ruinous effect of the high fees of the supreme court, to continue the £5 act, and if possible raise the limit to £10. *New York Mercury*, April 17, 1769. Instructions to the same effect were sent in from many counties, and the object they had in view was ultimately attained. *Ibid.*, June 5, 1769. Another question that was agitated at this time was the proposed bill for substi-

influence of popular activity in political matters. The most prominent issue between the assembly and the Sons of Liberty at this period was raised by a bill proposing to appropriate money for the support of the British troops in the province. The episode presents perhaps as good an illustration as can be found of the popular political activity of the time, and shows therefore how the Revolutionary questions were teaching a minority the uses of popular organization. Mass meetings, committees, resolutions, instructions, were the crude ore out of which the nominating convention finally came a perfectly tempered instrument.

Soon after the bill proposing to aid the soldiers was brought forward, in December, 1769, a hand bill appeared, entitled "To the Public," and signed "Legion."<sup>1</sup> The sheet referred to the "late

tating the ballot for viva voce voting. The Sons of Liberty had long desired such a change. They held a meeting at which they instructed the representatives of the city to support the measure. *New York Mercury*, Jan. 8, 1770. On the following day notice was given to "all such who are disposed to sign the petition to the Honorable House of Representatives praying it to pass a law to elect our representatives by ballot, that there will be petitions lodged at the houses of Messrs James M'Cartney in Bayard street, Henry Becker in the Broadway, David Philips in Horse and Cart street, and at Jasper Drakes between Beekman's and Burling's slip." (Broadside, Jan. 5, 1770, in the New York Historical Society Library, Vol. I. of the collection of broadsides.) But there was also strong opposition to the proposed change. On the 4th of January, the following notice was circulated on a broadside, entitled "TO THE INDEPENDENT FREEHOLDERS AND FREEMEN OF THIS CITY AND COUNTY. It having been industriously propagated that numbers of the voters of this city and county have been long intimidated at elections, and are therefore desirous of voting for the future in a secret manner by way of the ballot: which report being by many surmised to be void of a proper foundation, and only intended to answer the particular private purposes of certain persons: it is therefore requested that the independent Freeholders and Freemen . . . will meet at the Merchants Coffee House, tomorrow at eleven o'clock in the forenoon, to convey their sentiments respecting this matter to their representatives." (Broadside, Jan. 4, 1770. As above, Vol. I.) On January 5th a number of people assembled at the Coffee House, "when a gentleman at request of a number of his friends delivered himself in the following words: Gentlemen, I am desired to address you on the present very important occasion, and I beg your attention to what I am about to propose, in order to secure to us the exercise of one of our most invaluable privileges . . . And then the question was put in the following words: Gentlemen, do you approve of the old free constitutional mode of voting publicly and openly for the representatives you like? When a great number of the inhabitants signified by loud acclamation their entire approbation of the old mode." *New York Mercury*, Jan. 8, 1770. Instructions were prepared which dilated at length upon the danger of radical innovations, and closed with the following words: "Therefore we desire you . . . would endeavor to protect us in our . . . constitutional right of election, for we will not that the old custom of the land should be changed." *Ibid.* These instructions were signed by some 1700 names it is said, and were presented to the assembly by a committee which the meeting had appointed. The bill had already been defeated, but the representatives assured the committee that they would always give careful attention to "constitutional instructions from a majority of their constituents." *Ibid.*, Jan. 22, 1770. For instructions from the "inhabitants of Westchester county," see *New York Mercury*, Jan. 15, 1770.

<sup>1</sup> Broadside, no date, in the New York Historical Society Library, volume one of the collection. *Documentary History of New York*, III. 534, ed. 1850-1851.



base inglorious" action of the assembly in "opposition to the loud and general voice of their constituents," and called upon all inhabitants to convene at eleven o'clock on the morning of the 17th of December in the Fields, to pronounce upon this violation of the well known will of the people. On the 16th a still more radical tirade appeared, entitled "To the Betrayed Inhabitants of New York," and signed "A Son of Liberty." It also urged a meeting for drawing up instructions and appointing a committee.<sup>1</sup> On the appointed day some fourteen hundred people assembled in the Fields near Mr. Montagnie's coffee house. After waiting till twelve o'clock, "they appointed a gentleman (John Lamb) to propound the necessary questions. . . . He stated and explained the vote passed by the Assembly for granting the money to support the troops. After a small pause the question was put: Whether they approved of the vote of the . . . Assembly . . . which was carried in the negative, there being but very few in the affirmative, not more in our opinion than five or six. And then the question was put: Whether they were for giving any money to the troops under any consideration whatever? which was carried in the negative, there being not more in the affirmative than there were on the other question." A committee of ten was then appointed, which the assembly received "with decency, and in general returned for answer: That they were of the opinion that a majority of the inhab-

<sup>1</sup> Broadside, as above. *Documentary History of New York*, III. 528; Dawson, *The Park and its Vicinity*, p. 25. For the author of these articles rewards were offered of £50 and £100 respectively. *Documentary History of New York*, III. 532, 534; Dawson, *The Park and its Vicinity*, p. 25. From Parker, the editor of the *Gazette*, it was learned that the probable author was Alexander M'Dougall, who was consequently imprisoned for nearly three months. *Documentary History of New York*, III. 536. This arrest made McDougall the hero of the hour. He posed as the Wilkes of America, and was oppressed with visits of condolence; so much so that the following manifesto was put forth from the New Gaol on the 10th of February, 1770: "Many of my friends, who, having honored me with their visits since my oppressive confinement in this place, have advised me, as I intend to devote a good deal of my time to do justice to the public, in the cause for which I am imprisoned, to appoint an hour from which it will be most convenient for me to see my friends: I do therefore hereby notify them that I shall be glad of the honor of their company from three o'clock in the afternoon till six." Dawson, *The Park and its Vicinity*, p. 32. From time to time he issued addresses to the freeholders from the New Gaol. See Broadside, December 22, 1770, and January 26, 1771, in the New York Historical Society Library, Vol. I. of the collection. For further information on this affair, see Thomas, *History of Printing*, II. 260-262; *New York Colonial Documents*, VIII. 208; *Colden's Letter Book*, II. 211. Leake, *Life and Times of General Lamb*, p. 60. The letter entitled "To the Betrayed Inhabitants of New York" was answered by "A Citizen," in another broadside dated December 18, 1769. Five days later this was in turn answered by "Plebeian," who pointed out that the assembly could not plead ignorance of the will of the people. Even before the meeting in the Fields they might have had full instructions, for "they must know how ready the people are to come together to consult on matters that respect their liberties and property." Broadside as cited.

itants were disposed to give money to support the troops, and that it was now too late to pay any regard to the above report of the committee."<sup>1</sup>

This may serve to illustrate the attitude and the methods of the Sons of Liberty, during the period from the levying of the new duties until 1770, when all but the duties on tea were repealed. The Stamp Act episode had detached the landed classes generally, if one may make a rough generalization, but there was yet no sharp separation of the merchants from the mechanics and artisans—the "Inhabitants"—who filled up the ranks of the Sons of Liberty. Two forces were now operating however to separate the merchants from the mechanics and artisans. In the first place, the merchants, who were mostly men of property, were becoming conscious, as the landed classes had already become, of the consequences of the "mobish violence" which was constantly disturbing the peace of the city; and like the landed classes they resented the growing interference of an unfranchised class in political matters. More important however was the fact that, as the years passed and the duties were unrepealed, the commercial interests of the city began to suffer on account of the sweeping character of the non-importation agreement. The merchants began to consider therefore whether it were not possible to dispense with the liberty in return for a little trade—whether it were not quite as well to be a "Son of Liberty and Trade," as to be a mere "Son of Liberty." Early in 1770 this feeling became strong enough to reform the non-importation agreement on a more conservative basis; the same movement split the old organization into two—the Sons of Liberty and the Sons of Liberty and Trade.

The division came when the Rhode Island merchants first broke away from the old non-importation agreement. Upon learning of this violation, the committee of vigilance called a meeting of the inhabitants, by public notice, to meet on the 5th of June.<sup>2</sup> A "considerable number of inhabitants" assembled on that day; and to them was twice read a series of resolutions, previously prepared by the committee, condemning the Rhode Island merchants, declaring them enemies of the country, proposing to boycott them, and renewing the adherence of the New York merchants to the non-importation agreement. The assembled inhabitants assented to these resolutions, it is said, by a great majority.<sup>3</sup> Meanwhile the con-

<sup>1</sup> *New York Mercury*, December 25, 1769.

<sup>2</sup> General direction of the affairs of the non-importation league in New York was in the hands of a committee of one hundred. A subcommittee of vigilance acted for it in an administrative or executive capacity. The call for the meeting was posted May 30th. *New York Mercury*, June 11, 1770; Leake, *Life and Times of General Lamb*, p. 67.

<sup>3</sup> For these resolutions see *ibid.*

servative had been carrying through a plan of their own. A number of merchants had already asked the general committee of one hundred to "take the sense" of the city, "by subscription," whether "an alteration should not be made in our non-importation agreement." A meeting was held and persons were appointed to go through the wards proposing to each of the inhabitants the following question: "Do you approve of a general importation of goods from Great Britain except teas and other articles which are or may be subject to an importation duty? Or do you approve of our non-importation agreement continuing in the manner it now is?"<sup>1</sup> A majority was found to be in favor of importation according to the proposed change.<sup>2</sup> Somewhat to the surprise, and much to the chagrin, of the committee of vigilance, which seems to have been composed of the radical element, both the meeting and the resolutions of the 5th of June were therefore disavowed by the general committee of one hundred, a majority of which were in sympathy with the views of the conservatives. From this time the division was complete.<sup>3</sup>

<sup>1</sup> *New York Mercury*, June 18, 1770; Leake, *Life and Times of General Lamb*, p. 67.

<sup>2</sup> *Ibid.* According to Colden 1,180 persons, among them the principal inhabitants, declared for importation, "about 300 were neutral or unwilling to declare their sentiments and few of any distinction declared in opposition to it." *Letter Book*, II. 223.

<sup>3</sup> The separation had of course been long in coming. The actual struggle over non-importation was introduced by a curious and amusing prologue earlier in the year. It had been customary for the Sons of Liberty and others to celebrate, annually on the 18th of March, the repeal of the Stamp Act. At first this celebration was held at Bardin's Tavern. *New York Mercury*, March 9, 1767. As early as 1769 the friends of the repeal had divided into two factions, one holding its celebration at Bardin's as usual, the other at Van DeWater's. The former party Holt, editor of the *Journal*, characterized as "the genuine Sons of Liberty," composed mostly of merchants; the latter were "probably mechanics." *Memorial History of New York*, II. 397. At the next celebration the division was complete. The radical faction posted a notice calling a meeting of the Sons of Liberty at Montagnie's (Bardin's establishment had meanwhile been taken by Montagnie) as usual. Whereupon Mr. Montagnie published the following notice in the *Journal*: "To The Public: An advertisement having appeared in last Monday's papers inviting the Sons of Liberty to dine at my house on Monday, the 19th of March next . . . not having proceeded from any of the gentlemen who engaged my house for that day, I think myself obliged to give this notice that several gentlemen, as a committee from a great number of other gentlemen, having engaged my house some time ago for the 19th of March next, I shall not be able to entertain any other company." *New York Journal*, Feb. 8, 1770; Dawson, *The Park, etc.*, p. 42. A few days later the following appeared from the committee mentioned by Montagnie: "The friends of Liberty and Trade, who formerly associated together at Bardin's . . . to celebrate the . . . repeal of the stamp act, are requested to meet for that purpose on Monday, the 19th of March next, at the house of Mr. Abraham De La Montagnie." Dawson, *The Park, etc.*, p. 43. Finally, on the 15th, the other faction announced: "To all the Sons of Liberty," that whereas the house of Mr. Montagnie could not be secured, "a number of Sons of Liberty" had secured "the corner house in the Broadway, near Liberty Pole, lately kept by Mr. Edward Smith." *Ibid.* This house was purchased for the permanent use of the Sons of Liberty. It stood at the corner of Broadway and "the Bourie Road," and was christened Hampden Hall. Leake,

The general merchant body was now detached from the Sons of Liberty proper; henceforth it favored non-importation only as respects articles actually taxed; and its influence was exerted in support of conservative measures and in opposition to mob violence and all hasty and ill-considered action. For a time therefore the Sons of Liberty remained under a cloud, especially during the years of 1771 and 1772, which, partly because of the repeal of all duties except those on tea, were a period of quiet and unsuited to the turbulent activity which had brought them into prominence in previous years.<sup>1</sup> But their opportunity came again within the next two years when the East India Company attempted to force the importation of tea into the colonies. The Sons of Liberty renewed not only their spirit but also their organization; and from this time dates the struggle between the radicals and the conservatives to direct the Revolutionary policy of New York by controlling this organization. It is necessary to notice therefore: (1) What was the new attitude of the British government which presented the question directly at issue; (2) the renewed organization of the Sons of Liberty which claimed to represent the city; (3) the result of the tea episode upon the attitude of the conservatives.

The Stamp Act had been repealed in the spring of 1766. On the 20th of November, 1767, an import tax had been laid upon tea, glass, painter's colors, and paper. All of these duties were in turn repealed in 1770, with the exception of those on tea, which were retained as a test "of the parliamentary right to tax." But it was difficult to make any test so long as the American merchants refused to import any of the tea. Meanwhile the affairs of the East India Company were in a deplorable state, the result, it was thought, of the loss of the American market which had been regularly supplied by illegal traffic with Holland. Partly to test the right of taxation, partly to relieve the East India Company, a scheme was proposed by which the Americans could get their tea from England with the duty, cheaper than from Holland without it. This was effected by giving the company a drawback, on the tea exported to America, of all duties paid on such tea when entering England from the east. With this advantage the company was enabled to offer tea to America at a price which, even with the slight duty, was less

*Life and Times of General Lamb*, p. 62. From this time on the parties celebrated separately. See *New York Mercury*, March 4, 1771; *Memorial History of New York*, II. 419.

<sup>1</sup> "It gives me particular satisfaction to find this party [non-importation] entirely defeated last week in a violent struggle to turn out such of the elective magistrates of the city as had distinguished themselves in any way in favor of government." Colden to Hillsborough, October 15, 1770. *Letter Book*, II. 229. See *Ibid.* 222, 223.

than the price which must be paid for it in Holland. But the company was given to understand that the Americans would not be influenced by any mere appeal to their pecuniary interests, and that an attempt to land any dutied tea in America would be attended with disastrous results. The directors were nevertheless assured by Lord North that the King would have it so; he was determined to "try the question with America." Four ships were consequently sent to the four ports of Boston, New York, Philadelphia, and Charleston, in the fall of 1773, and agents appointed by letter to receive the cargos in each port.<sup>1</sup> The expected arrival of Captain Lockyear at the port of New York furnished the occasion for a reorganization of the Sons of Liberty.

On Thursday, the 16th of December, 1773, some of the Sons of Liberty, who still acted as a committee of the society, though the organization had fallen away somewhat during the quiet years since 1770, issued a broadside calling a meeting for the following day at the city hall. Besides the members, "every other friend to the liberties and trade of America," was invited to be present.<sup>2</sup> In spite of bad weather, "a very numerous and respectable number of citizens met at the City Hall" on the following day. Mr. John Lamb, of the committee, addressed the meeting on the questions at issue, and read several letters which had been received from the Boston and Philadelphia committees of correspondence relative to the "importation of the East India's tea." A committee of fifteen was then chosen to answer these letters and "to correspond with the sister colonies on the subject of the dutied tea." A series of resolutions, bearing the date November 29th,<sup>3</sup> entitled "The Association of the Sons of Liberty of New York," was then read. The preamble of these resolutions related briefly the history of the import duty on tea, the failure to secure American importers, and the

<sup>1</sup> Broadside dated November 29, and December 17, 1773, in the New York Historical Society Library, Vol. I. of the collection. *Rivington's Gazetteer*, November 18, and December 2, 1773; Fiske, *American Revolution*, I. 82, 83.

<sup>2</sup> "The members of the association of the Sons of Liberty are requested to meet at the City Hall at one o'clock tomorrow (being Friday) on business of the utmost importance, and every other friend to the liberties and trade of America are hereby most cordially invited to meet at the same time and place.

The Committee of the Association.

Thursday, 16th December, 1773."

Broadside, December 16, 1773, in the New York Historical Society Library, Vol. I. of the collection.

<sup>3</sup> These resolutions bearing date of November 29th were drawn up and adopted at a meeting of that date. Broadside, November 29, 1773, as above cited. The later meeting of the 17th of December was probably held for the purpose of securing a more general support of the resolutions. At any rate the latter meeting may be said to mark the complete reorganization of the Sons of Liberty.

recent acts of Parliament favorable to the East India Company, finally closing with the assurance that the tea ships might be daily expected. "Therefore," the document continues, "to prevent slavery . . . we the subscribers, being influenced from a regard to liberty and disposed to . . . transmit to our posterity those blessings of freedom which our ancestors have handed down to us, and to contribute to the support of the common liberties of America which are in danger to be subverted: Do, for those important purposes, agree to associate together under the name and stile of the SONS OF LIBERTY OF NEW YORK, and engage our honor to and with each other faithfully to observe and perform the following resolutions." The five resolutions which follow the preamble recite that the subscribers bind themselves to consider as an enemy of the liberties of America any and every person who aids or abets the introduction or the landing of the dutied tea, or buys or sells it, or aids or abets the purchase or sale of it; whether the duty was paid in England or America was immaterial; as for him who transgressed these rules "we will not deal with or employ or have any connection with him." The resolutions having been read, "Mr. Lamb then putting the question whether they agreed to these resolutions? it passed in the affirmative nem. con." At this point the mayor and recorder came in with a message from the governor. Permission having been received to deliver it, the mayor stated that the governor wished to make the following proposal to the people, viz: that the tea should upon arrival be put into the fort at noon day, that it should remain there until the council or the King or the proprietors should order it delivered, that it should then be delivered at noonday. "Gentlemen," said the mayor, "is this satisfactory to you?" For all answer he got only "no" repeated three times. Mr. Lamb in his turn, having made some pertinent remarks, put the following question: "Is it then your opinion gentlemen that the tea should be landed under these circumstances?" So general was the negative reply that there was no call for a division. The meeting then adjourned till the arrival of the tea ships. The association, together with an account of the meeting, was ordered printed and transmitted to the committees of the other colonies.<sup>1</sup>

Such were the Sons of Liberty newly organized. They claimed to represent the city, and through their committee to express its will. When the tea ships arrived on the 18th of April, 1774, the

<sup>1</sup> An account of the proceedings of the meeting, including the advertisement by which it was called and the resolutions of association in full, was published by John Holt. This document is in the New York Historical Society Library. Vol. I. of the collection of broadsides. See also, Leake, *Life and Times of General Lamb*, pp. 79, 80.



city was informed by the committee's hand bills, and from day to day other announcements of a similar character furnished information as to what had been and what would be done.<sup>1</sup> It is likely that the claim of representing the city was not altogether unjustified in this particular case, for the attempt to force importation upon the colony was certainly not popular with any class. The merchants themselves, as we have seen, had never given up the principle that dutied goods should not be imported, and they were quite willing to resist any effort to force such articles into the province. Even the extreme conservatives were willing to record their protest, and the assembly took action for the last time by appointing a committee of its own, "to obtain the most early and authentic intelligence of all such acts and resolutions of the British Parliament . . . as do or may relate or affect the liberties and privileges of his Majesty's subjects in America, and to keep up . . . a correspondence . . . with our sister colonies."<sup>2</sup> Thus all parties were practically at one in respect to the importation of the dutied tea; the conservatives, in so far as they refused to act with the Sons of Liberty, were actuated rather by jealousy of the growing political influence of the unfranchised classes, and by fear of their undisciplined methods of resistance, than by difference of opinion as to the nature of the British policy itself.<sup>3</sup> And this fear was not altogether unfounded as the sequel proved. The radical methods which the Sons of

<sup>1</sup> "TO THE PUBLIC:—The long expected tea ships arrived last night at Sandy Hook, but the pilot would not bring up the Captain until the sense of the city was known. The committee were immediately informed that the Captain solicits for liberty to come up to provide necessaries for his return, the ship to remain at Sandy Hook. The committee conceiving that he should have such liberty signified it to the gentleman who is to supply him and others with necessaries. Advise of this was immediately dispatched to the Captain, and whenever he comes up care will be taken that he does not enter the customs house and that no time be lost in dispatching him. New York, April 19, 1774." Broadside, as above cited. "TO THE PUBLIC: The sense of the city relative to the landing of the East India Company's tea being signified to Captain Lockyear by the committee, nevertheless it is the desire of a number of the citizens that, at his departure from hence, he should see, with his own eyes, their detestation of the measures pursued by the ministry to enslave the country. This will be declared by the convention of the people at his departure . . . which will be on next Saturday morning about 9 o'clock, where no doubt every friend of this country will attend. The bills will give the notice about an hour before he embarks from Murry's wharf. By Order of the Committee." (Dated April 21, 1774.) Broadside, as above cited.

<sup>2</sup> *Assembly Journal*, January 20, 1774; *Rivington's Gazetteer*, January 27, 1774. The committee consisted of John Cruger, James Delancey, Jacob Walton, Benjamin Seaman, Isaac Wilkins, Frederick Philipse, Daniel Kissam, Zebulon Seaman, John Rapalja, Simon Boerum, John DeNoyelles, and George Clinton, "or any seven of them." See also Dawson, *History of Westchester County During the American Revolution*, p. 23.

<sup>3</sup> A few voices were raised favoring the importation of the company's tea, on the ground of commercial necessity. See a series of articles by Popliocola in the *Broad-sides*, as above cited. See also *Rivington's Gazetteer*, November 18, and December 2, 1773.

Liberty were likely to favor, had already been foreshadowed in the attitude of the meeting of the seventeenth of December, with reference to the proposals of the governor. The action of the citizens of Boston in throwing the tea into the harbor had meanwhile fired the zeal of the New York radicals, and the "Mohawks," a kind of rough riding detachment of the regular army of the Sons of Liberty, were prepared for similar measures if occasion offered. Eventually, in spite of the somewhat conservative attitude of the new committee, a part of Captain Lockyear's cargo was dumped into the harbor, while the band, a little incongruously perhaps, played "God Save the King."<sup>1</sup>

Once more therefore the Sons of Liberty, the representatives of the unfranchised classes, had scored a victory over the propertied enfranchised classes. The event served to separate the factions the more sharply and to introduce the coming struggle for control, because the difference was seen to be largely a question of methods of resistance rather than a question of resistance itself. As this fact became more and more obvious, the extreme conservatives were dropping out of the contest entirely, eventually to swell the numbers of the Tory party. Within a few months the passage of the Coercion acts precipitated the permanent Revolutionary contest, and the question became, at least within the city, less and less one of resistance or non-resistance and almost entirely one of the methods and character of the resistance. Was the policy of New York in this struggle to be dominated and guided by the radical unfranchised classes, whose methods were characterized by rashness and mob violence, or was it to be under the direction of moderate men of property, who were accustomed to exercise political privileges, whose methods were those of reason and good sense, and who would firmly assert the rights of the colony without over-stepping the bounds which separated law from lawlessness? The conservatives now saw clearly that a policy of mere negation, a policy of holding aloof, would not in any sense suffice; action of a positive character was necessary. Yet they shrewdly refrained from opposing the organization, now in the hands of the Sons of Liberty, which claimed to represent the city. They were conscious that this organization, whether legal or extra-legal, was grounded in a wide popular support, that it was the essential political institution of the hour, and that through it or not at all they must give practical effect to their ideas. Their energies were now directed therefore to obtaining control of this organization, through which they hoped to

<sup>1</sup> Leake, *Life and Times of General Lamb*, pp. 76, 77, 82, 83.

guide and direct the popular will. They captured the organization at the election of the new committee of fifty-one. A protracted struggle then followed over the election of delegates to the first Continental Congress; incidentally the first attempt was made by the city committee to organize the rural districts for the Revolutionary contest.

CARL BECKER.

## THE MONROE DOCTRINE AND THE DOCTRINE OF PERMANENT INTEREST

SOME years ago it was the pleasure of the writer to hear from the lips of one of the most distinguished Tammany district leaders a public defence of his *alma mater*. "Tammany Hall," said this patriot, "is a benevolent institution; Tammany Hall is a patriotic institution; Tammany Hall is a philanthropic institution; Tammany Hall has the honor of being the first to propose that immortal Monroe doctrine which blesses and revivifies the world." This remarkable statement suggests widespread popular interest in a doctrine the scope of which appears to be very different in different minds. To the statesman, the editor, the orator, and the writer of magazine articles, the phrase "Monroe doctrine" appears often very like "that blessed word, Mesopotamia," which so comforted and invigorated the poor old mother in Israel; it is a cult rather than a clearly defined principle.

Out of the many senses in which this perhaps overworked phrase has been used, four may be selected as the most important and most widely known. The first of these is the original principle as stated by President Monroe in 1823. The second is Polk's averment from 1845 to 1849—that it is the duty of the United States to annex American territory lest it be annexed by European countries. The third doctrine, stated by Secretary Blaine in 1881, holds that the United States is sole guardian of the transit across the American isthmus, and the arbiter of disputes between Latin-American powers. The fourth doctrine, formulated by Secretary Olney in 1895, is that the United States is sovereign in America, that the British colonies in America are temporary, and that these declarations are a part of international law.

Plainly all these various principles of international policy cannot be one and the same doctrine. Without criticising later American statesmen for looking at things differently from President Monroe, and without overlooking the truth that this nation has an interest in American affairs beyond that of any other power, it is time to inquire what policy in American relation is best and likeliest to advance our permanent national interest; and to ask whether it is longer necessary to express the aspirations of the United States

in a worn-out formula which no longer has a fixed and vital meaning in our minds. Surely it is one of the humors of history that an envoy whose diplomacy was discredited by both Washington and Jefferson, a President who did not invent his own doctrine, should go down to posterity as a political seer who could frame a controlling principle of guidance in international affairs, still to have unabated force eighty years after the crisis which called it forth.

Not much space need be expended on an account of the origin of the Monroe doctrine. All the world knows that in 1823 there existed in Central and South America a group of about a dozen Latin-American states, recently revolted, practically independent, inasmuch as the mother country could not subdue them, some of them already recognized by the United States as independent nations, yet obstinately claimed by Spain as still her possessions. Upon the other side of the water there was between the great European powers an understanding, the purpose of which was to keep the peace of Europe—a system commonly called the Holy Alliance. This organization has perhaps been maligned; it is almost identical with the present European "concert of powers," and, like its modern sister, was meant to keep order and to save life, though it often dealt selfishly and cruelly with local insurrections, lest they might grow to great convulsions. In 1823 Spain was restored to its tyrant by a French army acting for united Europe, and the tyrant naturally appealed to his sponsors to extinguish the flame of rebellion across the ocean. The project meant the closing of the recently opened Latin-American markets to the general commerce of the world; and Great Britain, who had both commercial and political reasons for standing in the way, gave warning to the United States, and even offered to join in a declaration against European intervention in America. At the same time, though from independent reasons, Russia made claim to the whole northwestern coast of America, as a country never occupied by a civilized nation, and thus set herself counter to the broad-minded project of a Pacific colony, which had for twenty years been dear to Jefferson.

No one who knows the cautious and somewhat sluggish mind of Monroe could suppose *a priori* that he had the genius to meet and counteract the double danger; the real author and probable penman of the famous declaration of 1823 was John Quincy Adams, then Secretary of State. He had already rapped the knuckles of the Russian ambassador on the Oregon question, and he threw all his immense energy into the task of nerving up the President to a strong announcement. The result was the annual message of December 2, 1823, embodying what was thereafter called "The

Monroe doctrine," the essentials of which are three statements. The first, which immediately follows a discussion of the Russian claims to Oregon, and is quite separate in the context from the part of the message relative to Latin-America, is the statement that "The American continents, by the free and independent condition which they have assumed, are henceforth not to be considered as subjects for future colonization by any European power." The second point is that of intervention in the new Spanish-American states; the most significant phrase is, "We could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny, by any European power, in any other way than as the manifestation of an unfriendly disposition toward the United States." The third point relates to the system of European alliance to prevent revolts: "It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness."

These three positive declarations are in every case offset, or conditioned, by negative statements. In the first place, Monroe expressly disavowed hostility to the possessions of foreign powers in Canada, Alaska, and the West Indies, in the words: "With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere." In the second place, he disavowed any hegemony of the United States among the American powers: "In their career we have not interfered, believing that every people have a right to institute for themselves the government which in their judgment may suit them best." In the third place, he expressly based his right to protest against European intervention on our withdrawal from European interests: "Our policy in regard to Europe, which was adopted at an early stage in the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers."

It will be seen that the Monroe doctrine was not intended by Monroe to be a code of international law, but was called out by a special set of circumstances long since outgrown—aggressions by Russia and by allied Europe. So far as it referred to the future, the doctrine was intended to state a kind of *quid pro quo*; this is sufficiently plain from Jefferson's oft-quoted letter of advice to Monroe: "Our first and fundamental maxim should be, never to entangle ourselves in the broils of Europe. Our second, never to suffer Europe to meddle with cisatlantic affairs."

Much trouble and confusion might have been saved had Monroe and Adams taken out a copyright upon the term "Monroe

doctrine," and so distinctly confined the term to the state policy that they had in mind. When Polk became President in 1845 the Oregon question had revived in a new form, and in his first annual message he deemed it "A proper occasion to reiterate and reaffirm the principle avowed by Mr. Monroe"; but he added a statement, nowhere implied in the original doctrine: "It should be distinctly announced to the world as our settled policy that no future European colony or dominion should, with our consent, be planted or established on any part of the North American continent." Yet even Polk based the right to oppose European colonies, though planted with approval of other American powers, upon the non-interference of America in Europe.

Notwithstanding this bold announcement, the President, a few months later, gave up his principle of colonization by accepting a part of the Oregon territory, and showed his friendship to Latin-America by making war on Mexico. In 1848 Polk wanted to annex Yucatan; and he found his authority in the other and long-neglected branch of the Monroe doctrine; annexation, he said, would prevent the Yucatanese from offering themselves as a colony to some European power, and thus introducing the "political system" of Europe. Whether or not this reasoning was sound, it certainly was not Monroe's.

About the same time American foreign policy was brought to a point on the question of an isthmus canal. Polk was not an anti-expansionist; in fact, his foreign policy might justify him in appropriating the Dey of Algiers's compliment to the Duke of Kent: "Your father, the King of England, is the greatest pirate in the world; and I am second to him." There is, therefore, something droll in the charge of a recent writer that, "Polk lost his signal opportunity for asserting the Monroe doctrine in the face of actual British aggression on the Isthmus." Possibly Polk thought he had already stretched the doctrine as far as it would go.

The next opportunity for the application of the Monroe doctrine was the French conquest of Mexico from 1861 to 1867. Nobody can accuse Secretary Seward of lack of national feeling or diplomatic finesse or quickness in seizing on precedents; and his most recent biographer with justice considers his Mexican policy "his most perfect achievement in diplomacy." Here was the case of a foreign government deliberately overthrowing a neighboring republic and planting a monarchy upon its ruins; one would expect to find Seward's dispatches punctuated with "colonization," "political system," and "interposition." It is a remarkable fact that he nowhere used the words "Monroe doctrine," nor referred to prece-

dents. He declared at the beginning that it was the policy of the United States "to leave the destinies of Mexico in the keeping of her own people"; and although he advanced in 1867 to the point of a decided threat of war unless the French withdrew, he based his whole policy upon the general doctrine of the right of American peoples to form their own governments, and upon the hostility to the United States shown by France in attempting to establish a despotic foreign government upon our borders. Seward felt strong enough to form a policy of his own without adopting the orphaned Monroe doctrine.

Nevertheless, in the public press and in Congress the words had been heard often enough, and a hostility to English possessions began to appear, expressed in the protest of the House of Representatives in 1867 against the formation of a Canadian federation. President Grant asserted in 1870 that "the time is not so far distant when, in the natural course of events, the European political connection with this continent will cease." The controversy with England came to a head upon the proposed European guarantee of neutrality for the French Panama canal. Mr. Blaine, in 1881, laid down in a general circular a new doctrine of his own, declaring "that European aggression would partake of the nature of an alliance against the United States." But he too, like Polk and Seward, thought the paramount interest of the United States a sufficient ground for objection; and he did not shield himself under Monroe's authority. He had, moreover, a broad scheme of establishing a benevolent leadership among the American states with their own consent, a project partially realized in the inter-American conference of 1889.

The farthest extension of policy to which the name "Monroe doctrine" has ever been seriously applied appears in the explosive despatches of Secretary Olney in 1895, and President Cleveland's special message of December 17, 1895, invoking the Monroe doctrine to prevent the occupation of territory disputed between a British colony and a Latin-American state; again, however, this position was expressly based upon "American non-interference in European affairs." No previous President or Secretary of State had ever taken the broad and sweeping ground now assumed by Secretary Olney; he declared "any permanent political union between a European and an American state was unnatural and inexpedient"; that the interests "of Europe are irreconcilably diverse from those of America"; that "to-day the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition"; that it is "master of the situation."



These weighty declarations were further asserted to be at once a reassertion of Monroe's doctrine, and a permanent principle of international law for American relations. Whether sound or otherwise, they have so little relation to the doctrine of 1823 that one is tempted to apply to Secretary Olney's argument the Oxford undergraduate's account of a football game: "It would have been just as good a fight without the ball; the ball was only in the way." It is difficult to resist the conviction that Olney's doctrine would have had more force if it had stood boldly on a principle of permanent national interest. Monroe added no strength to his position.

Jefferson had a theory that no people has a legal right to incur a national debt to be paid by the next generation; perhaps it might be fair to ask that no generation shall lay down a principle of international policy which later generations must be compelled to twist to every new exigency. The various glosses on the original message show clearly the difficulty of adjusting the original Monroe doctrine to the conditions of to-day; indeed, the whole face of America has so changed in seventy-seven years that new principles are absolutely necessary. In the first place, since 1823, Spain has been eliminated as a factor in American affairs, by the long-maintained independence of the Spanish-American states, and very recently by the conquest of Cuba and Porto Rico. At the same time France—in 1823 and again in 1861 a source of real danger—has ceased to be effective in American relations; hence there can never be any shadow of intervention for the sake of restoring Spanish dominion. On the other hand, Monroe's hopefulness that the Latin-American powers would show those qualities of steadfastness, order, and peaceful obedience to the law of the majority which characterize real republican government has been unhappily dispelled; there is not a single Latin-American power, except Mexico, which has succeeded in keeping internal peace, or which could defend its own soil against a foreign army. At the same time the fear that republican government might be extinguished in the United States by what Clay called "the giddiness and intoxication of power" of European monarchy, has forever been dispelled.

The territorial relations of Great Britain and the United States have also undergone a great change; while the British West Indies have diminished in importance and the little colonies of Guiana, Honduras, and Belize are still feeble and thinly populated, Canada has stretched across the continent step by step along with the United States, and is now more strongly attached to England by sentiment and commercial ties than at any time for half a century. The spread

of the power of the United States from the Atlantic to the Pacific involves the country in new relations with the western states of South and Central America, and lends a powerful impetus to the movement for an interoceanic canal, now the great storm center in American affairs. If there is need for any set doctrine, the Monroe doctrine is too weak for the circumstances of this day, when the United States has become the greatest Caribbean power, the power most concerned in a highway across the narrow lands from ocean to ocean, and the power which has contact with British territory along a land frontier of four thousand miles.

A glance at a map or the turning a page of statistics will show that the only foreign nation which has a vital interest or influence within the Americas is Great Britain. There are Germans in Brazil, Italians in the Argentine, French capital on the Isthmus of Panama, Spanish-speaking people in Cuba and Porto Rico; but Germany, France, Italy, and Spain are not factors in American questions, and can never become such. Since the withdrawal of the French from Mexico in 1867, all the extreme forms of the so-called Monroe doctrine are therefore in essence assertions that to the United States belongs a place in American affairs which will not brook any sharing of responsibilities or power with great Britain.

The changes in American conditions are hardly greater than those in our relations with Europe. When Secretary Olney reiterated that the United States had no share in European complications, he did not expect that four years later the United States would arouse the jealousy of Europe by insisting that Turkey pay a bill for damages at the point of a despatch; or that the United States would lay down a Chinese policy for Europe to follow. In two senses the "political system" which aroused Monroe's suspicions has disappeared. Western Europe is democratic, and a combination of real or unreal sovereigns to prevent the spread of liberal thought has ceased to be possible. In 1823 every country in Europe except Switzerland was monarchic; hence there was an antagonism and a contrast between the American republic and Europe which all the world observed. To-day not only is Switzerland broadly and genuinely a republic, under a government closely modelled on the United States; France is a republic; the Scandinavian countries, Belgium, Holland, Austro-Hungary, Italy, and Germany, are to a large extent democratic; England, under the forms of monarchy, has a government the most closely responsive to public opinion known to mankind. Europe and the European political system are no longer bugbears; and we now study foreign political systems in the expectation of finding something that will be useful to us.

Commercial relations with Europe are also much more intimate and important than they were in 1823 ; a single ocean steamship in a year will carry a fifteenth as much as the whole foreign commerce of the United States in 1823. Within the borders of the United States live eight million persons born in European countries ; a hundred thousand Americans annually visit the Eastern hemisphere. Missionaries and commercial travellers, the two advance agents of civilization, are found in every European country, and American oil, food products, and manufactures spread throughout the world. When the American tariff draws its cabalistic circle of exclusion, the tin-miner of Cornwall, the button-maker of Vienna, the potter of Limoges, and the weaver of Saxony become aware of the weight of our government. Let any one examine the useful government publication known as *Foreign Relations* during the last twenty years, and one will be amazed at the amount and multifariousness of present American interests in European countries.

To maintain the aloofness which was the condition of the original Monroe doctrine has become, therefore, simply impossible. When the German agrarians and socialists get into a scrimmage in the Reichstag we are interested, for the question is the exclusion of our food exports ; when the British Parliament discusses a bill for creating an Australian federation, we are interested, for it means a tariff in New South Wales ; when Li Hung Chang exhibits his certificates of good character, while Chinese irregular troops are burning Protestant churches, we are interested, because those churches were built by American contributions. France cannot even hold a world's fair without a reasonable assurance that the Americans will be present with some of the products of the Leadville mines in their pockets.

After all, these commercial and personal matters are not the influences which most powerfully and inevitably draw the United States into European relations. The process of aggregation which is so visible in corporations, companies, and trusts is equally visible in the political world. In 1802 there were about one hundred German states ; now there are but twenty-seven, and these are united in one federation. Who does not see that within the last thirty years the number of possible world powers has been steadily drawing down ? In all Europe and Asia there are now but four nations which will indubitably be great powers a century hence—Russia, Germany, Great Britain and China. In the Pacific, Japan is the only permanent world power ; in the western world there is but one great nation, the United States. These six powers must inevitably control the destinies of mankind ; the history of the future is the history of the relations, friendly or otherwise, between them ;

the diplomacy of the future is the grouping and regrouping of these six units with or against each other. Where the ruling powers are so few, how can it be supposed that the United States will be willing to stand aloof from the European controversies which involve the destinies of the world, or that it could stand aloof if it so desired? For good or evil, the United States has taken upon itself a share in the world's affairs and cannot abdicate its responsibilities. There is no such thing for us as a quiet home-dwelling under our vine and fig tree; there is for us no Chinese wall against trade or intercourse or political influences.

What is true of Europe is even more true of the East. The United States has a chain of possessions from the Pacific coast to the Asiatic through Hawaii, Samoa, Guam, and the Philippines. It thus becomes neighbor to Japan, to China, to French, English, and Dutch Asiatic colonies, to New Zealand, to the flourishing new commonwealth of Australia; and this propinquity involves questions of trade, of outlet for our manufactures, of travel, of sojourn, of colonial administration. All these questions ultimately lead back to Europe, because the Asiatic questions of the future, except for the influence of Japan, must be settled in the council rooms of the western world; and the future of China, the fate of Persia, the status of the Pacific islands, are questions which are incapable of permanent solution unless the United States is a party to that solution. Indeed, Wu Ting Fang, Chinese minister, has recently quizzically suggested that, "The Monroe doctrine being the fixed policy of your government, the natural logic is that it should be applied to that part of the world where this country has possessions."

There are people who suppose that it was possible to avoid all these responsibilities by abstaining from the recent conquests in the West Indies or East Indies; but, without a Spanish War, had there never been a Cuba, were the Hawaiian Islands to have sunk beneath the ocean, the eventual participation of America in the world's affairs was as inevitable as the flow of lava down the slope of a volcano. There has never been known to man an aggregation of political and social strength comparable with the United States, which did not make itself a factor in the world's history. Our diplomacy has sometimes been crude, uninformed, and disregardful of its own precedents; but it has expressed a national intention to speak in the councils of nations. The assurance of the physical power of the nation, its ability to make itself felt, the clearness to see national interests in an exaggerated form, have not arisen out of the Spanish War; they come from the natural eagerness of an energetic people, which has perhaps too much confidence in its

own good judgment, and is quicker to see disorder in other lands than at home; but which feels itself what it really is—a living force in the affairs of mankind.

If American diplomats have henceforth to formulate and defend the American policy of their country, they must do so within the conditions which have been described above. In the first place, they cannot fail to recognize, as they have long recognized, the defects in Latin-American government; Cuba was no worse misgoverned by Spain than Venezuela is by its own people. The history of our relations with our neighbor republics is one of constant irritation on one side, and, in general, of great forbearance on the other; without power to maintain order or to protect their own citizens, the Latin-American governments have been unable, and sometimes unwilling, to prevent the seizure of the property of foreigners, or to avoid acts of personal violence. The phrase which most frequently occurs in the diplomatic correspondence with America is not “Monroe doctrine,” but “unpaid claims.”

If we expect to exert influence over these countries, we must also take into account their prejudices and their pride. Peru was very glad to have the United States remonstrate against its implacable Chilean conquerors in 1881; Venezuela joyfully accepted the intervention of the United States in the boundary controversy of 1895; but Peruvians and Venezuelans would probably join in resistance to any attempt on our part to set up or support a government for them, however better than their own. Mexico is the great exception to this principle, because in Mexico American capitalists practically dictate the protection of their own property. But if the United States should stand forth as the protector of individual Latin-American states against each other, or in their frequent and unavoidable quarrels with European powers, it would assume also a responsibility which our American neighbors would infallibly resent whenever exercised against their preferences.

In the next place, the existence of small French and Dutch island colonies in the Caribbean, and of larger and more important British islands and continental areas, must be accepted as a fact; and there seems no likelihood of the extinction of the French or English title by any process short of a successful war of conquest.

A permanent and growing interest in what have hitherto seemed strictly European questions must also be taken into account by our statesmen. It seems probable that a second Cretan insurrection or Armenian massacre or subjugation of Hungary would lead to protests more vigorous than the United States has ever yet uttered on European affairs; and the transatlantic war of tariffs must some-

time have an end either by lowering of the bars at both ends, or by hostile and irritating retaliatory legislation. In the Pacific and in eastern Asia the nation appears to have a footing which it is not disposed to give up. Plainly it is idle to base the foreign policy of the United States longer on the principle that we stand entirely separate from the quarrels or the diplomatic arrangements of the Eastern hemisphere.

The extension of the term "Monroe doctrine" from the limited form given it by John Quincy Adams to that stated by Secretary Olney has of course a reason: there is an apparent advantage, when the United States takes up a position in American diplomacy, in bringing it within the Monroe doctrine; because it may then be urged that foreign powers which ignore or question our positions have had many decades of notice, and hence are sinning against light. But it is impossible to appeal to a part of the principle and to ignore the rest; and the history of the doctrine shows absolutely that down to 1895 the United States always asserted a special American influence, on the ground that it left to European powers a similar special interest in Europe. This is simply a doctrine of the permanent subdivision of the earth into two spheres of influence, each of which could get on without the other, and in each of which the interference of the other would be unwarranted. There was really no such separation in 1823, and every year draws the ends of the earth closer together. To claim the Monroe doctrine as still our guiding principle is to suggest to other nations that the United States has no power outside America. The two areas are not separate and never can be separated; the United States is a world power, and cannot claim the special privileges of a diplomatic recluse, and at the same time the mastery of the western hemisphere.

That the interests of European powers in America are in general not equal to those of the United States is as true as that the United States can and will keep out of most European imbroglios. It was not by accident that Seward in 1867 based his protest against the final conquest of Mexico upon a broad basis of permanent national interest; that has really been the ground for each of the Protean forms of statement which have been discussed above. Adams, Polk, Fish, Blaine, Olney, Hay, all have had in their minds the conception that international relations depend as much upon geography as upon international law, that propinquity of necessity creates questions which cannot be settled off-hand by diplomatic precedents. It is notorious that neighboring countries almost always have permanent grievances against each other; if Italy were across the channel from England, the two powers would constantly

be in hot water ; if Brazil were a German colony, there would be friction between the United States and Germany all the time. All that was valuable in Monroe's message was the assertion that the United States had such a commercial and political interest in this hemisphere that it would not permit European powers to alter the American status by force. Had Spain possessed the physical power to conquer the rebellious colonies, the United States would not have felt itself bound by Monroe's disclaimer, and eventually would have compelled Spain to give them up. If the United States had a commerce for which the Suez canal was indispensable, it would naturally take a great interest in the control of that canal ; but we do not need Monroe's leave for the assertion of such an interest.

Most people who talk about the Monroe doctrine mean nothing more than that there should be no change of status in America prejudicial to the United States, though public opinion varies from year to year as to what is prejudicial. In the fifties Buchanan, Mason, and Soulé were sure that emancipation of slaves in Cuba was prejudicial and must be prevented ; in 1867 the majority of the Representatives thought the formation of a Canadian confederacy prejudicial. In 1850 the neutrality of the isthmus canal was thought so important that we went into the Clayton-Bulwer treaty ; in 1881 Mr. Blaine ignored the treaty ; in 1900 Mr. Hay recognized its validity by negotiating for its abrogation.

Is it not possible to rise above temporary and fleeting issues to some understanding as to what the "permanent interest" of the United States demands ? To formulate a state paper expressing such a principle is the work of a statesman and not of an essayist, but some clear and definite bases may be laid down for any permanent policy in pan-American affairs.

The first is that the territory of the United States is not to be hemmed in and cut off from its natural outlets ; the annexation of Louisiana, of the Floridas, of Oregon, and of California, all resulted from this principle ; at present it is not necessary to appeal to it, because our territory is everywhere accessible. The one exception is the highway of the Great Lakes which has no natural route to the sea ; but it is easier to make a safe commercial connection through the Mohawk Valley than through the lower St. Lawrence, and we do not need Quebec while we have New York. The only two strategic points which seemed threatening a few years ago have now come into our possession by the control of Cuba and the annexation of Hawaii. We are well protected.

The next principle is that the commerce of the United States with its American neighbors must not be shackled by any restric-



tions emanating from Europe. We reserve the right to cut off our own trade, and the failure of several successive series of reciprocity treaties in the last twenty-five years seems to show that Congress does not wish to extend our commerce in America at present ; but we do insist that no obstacle shall grow up to prevent at least an equal opportunity in the commerce of the Latin-American states.

In the third place, we must accept the existence of a large territorial part of the British Empire in America, and so far forth must admit that Great Britain is an American power in the same sense that we are an Asiatic power. The annexation of Canada, which has been predicted by many keen-sighted men for a century and a quarter, now seems more distant than ever, because the Canadians are satisfied, and Great Britain desires that they should be satisfied. Next-door intimacy with Canada has always caused, and probably will continue to cause, friction and some heart-burning ; the Oregon question, the San Juan question, the Alaskan boundary question, navigation of the St. Lawrence, the northeastern fisheries, the Maine boundary, transit in bond, rivalries of transcontinental railroads, tariff warfare,—all these disagreeable disputes might have been avoided if Montgomery and Arnold had taken Quebec in 1775 ; but they might also have been avoided if Burgoyne had taken Albany two years later. In the balance of national forces it came out that both the United States and Great Britain retained great areas of North American territory. To deny the right of Great Britain to hold Canada and Jamaica is to deny the original Monroe doctrine, which distinctly disclaims any hostility to those existing colonies.

In the fourth place, we are facing the problem of a canal from ocean to ocean, in which the country most advantaged will be the United States ; whatever the likelihood that the trans-continental railroads would still compete against a water transportation through a locked canal, the necessity of piercing the isthmus is too plain to be disregarded. One cannot quarrel with the people of the United States for the intention of constructing such a canal, although it is a fair question for engineers, statesmen, and financiers whether the cheapest and best method is not the completion of the Panama route. But the canal is not simply a road from the Atlantic coast of the United States to the Pacific ; it is an international benefit which the United States has no right to take upon itself, except as the representative of civilized commerce. The oceans are the property of mankind, and if we try to shut up an artificial strait between them, we may some day find the Bosphorus closed to us.

The next principle must be that in American affairs, as in all affairs, the United States shall stand by its obligations. The Clay-



ton-Bulwer treaty was ratified because it was a fair settlement of a very dangerous question ; and we do not realize how many critical questions have been kept in abeyance by that treaty. The British government unnecessarily aroused the hostility of America by the insistence on territorial right through control of a puppet king of the Mosquito Indians ; but all other interference in the construction of the canal has been warded off ; and now that Great Britain gracefully consents to give up joint guaranty, it leaves a clear field for American ownership.

The next principle is that, if the United States is to retain its influence, *it must refrain from further annexation of Latin-American territory*. The first movement toward the annexation of any part of Nicaragua or of Central America will arouse the hostility of all the other American nations, and undo all the work of commercial conciliation. Neither the Monroe doctrine nor any other common-sense doctrine delivers our neighbors over to us for spoliation.

These are general principles upon which the "doctrine of permanent interest" must proceed, because they are right, just, and reasonable principles, but also because they lie in the nature of our international conditions. There is no longer the slightest danger of any European intervention in America ; the last suggestion of such a thing was Grant's proposed joint intervention in Cuba in 1875. There is no longer any danger of establishing new European colonies in America ; the Venezuelan incident, with all its unreason, revealed clearly to the rest of the world the temper of the United States on that point. There is no longer any danger of the introduction of European monarchies—and, in fact, no European monarch could teach anything about absolute government to a Latin-American dictator.

Finally, neither the Monroe doctrine nor any form of American doctrine means that the United States is to do whatever may seem good to it in America, or that its "permanent interest" involves a right to get away from inconvenient restrictions in the law of nations, as established by the practice of civilized peoples. We have too much at stake to raise unnecessary difficulties at home or abroad ; we have to deal with and consider Latin-Americans, British-Americans, and American-Americans ; we have to safeguard our interests in Europe, in the Pacific, and in Asia ; we have to take account of the influence which this nation seems destined to exert on mankind. If there is to be in the coming century a great battle of Armageddon—once more Europe against the Huns—we can no more help taking our part with the hosts of freedom than we can help educating our children, building our churches, or main-

taining the rights of the individual. There is no proper and permanent doctrine of foreign policy which does not recognize the United States as the great leader in all American affairs, and one of the great leaders in the affairs of mankind. There is no safe or permanent doctrine which does not recognize our sisterhood with other nations under international law. The "doctrine of permanent interest," therefore, is a doctrine of peace in America, international fellowship in the eastern hemisphere, and civilization everywhere.

ALBERT BUSHNELL HART.

## DOCUMENTS

### *Letters on the Nullification Movement in South Carolina, 1830-1834.*

(Second and concluding installment.)

XXVII. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF, 7<sup>th</sup> February 1833.

Sir,

Your Circular dated the 30<sup>th</sup> January, reached me a few days ago at Barnwell court House. My engagements have rendered it impossible to reply to it before this time. I now submit as full a statement of my progress thus far in Organising this district, as it is in my power to make, and also furnish the estimates that you desire.

I have inspected, recieved and commissioned the following companies.

Capt. Lafittes company	—	65 men.
Capt Schmidst's Do	—	67 “
Capt McTyeire's Do	—	60 “
Capt Walker's Do	—	77 “

The names of the officers and men in these companies have heretofore been forwarded to you, or will accompany this report. Capt McTyeire's list was to have been presented to me on Monday last at Barnwell, but for some reason that I have not yet learned his First Sergeant did not come to the Village. I have ordered his list to be forwarded with his bond for arms and it is probable you will find it larger than I have stated. To Capt Walker's list I have added the ages of the men as being very remarkable. With *very few* exceptions they are as capable of doing duty as any men in the district, and have specially requested to be the first ordered into service. I will not make a statement of all the volunteers that I have recieved, and an estimate of the number, that will probably be enrolled in the district. Except those already mentioned, I have not inspected any. Capt Johnston's Troop has, however, been inspected by Col. Hogg.

	Men	And will probably increase to
Capt. Lafittes company now number	65	70
Capt. Schmidst's Do “ “	67	75
Capt. McTyeire's Do “ “	60	60
Capt. Walker's Do “ “	77	90
Capt. Lancaster's Do “ “	66	80
Capt. Allen's Do “ “	55	55

Capt. Johnston's company now number	52	65
Capt. Willis Do " "	40	60
Capt. Butlers Do " "	35	60
Capt. Killingsworth's Do " "	35	60
Total.	552	675
Add probable number of Vol. from Beats not yet mustered.		175
Whole number.		850
Number of Minute men enrolled	75	100

These however must not be added to the number of Volunteers, as nearly all of them are already members of Volunteer corps, or included in the last line of estimated Volunteers. As soon as I inspect and commission the above companies, I will forward to you the names of the officers and men. In regard to the *general condition* of arms I have previously reported. I have ordered out both regiments for inspection and review and will report more particularly hereafter. I have before mentioned that there were three Corps in the District in possession of public Arms. Of one of these I am still unable to report any thing. Capt. Touchstone's company have Thirty four muskets, all in pretty good order. The arms belonging to the late Capt. Holden's company, now dissolved, I have collected at Buford's Bridge, to the number of 47. Of these 36 require only to be cleaned and some of the pans hardened. 8 are broken, but can be repaired, and 3 bursted, not worth repairing. These repairs I can have done here, at from \$1 to 1.50 a gun, and unless otherwise ordered will make a contract for that purpose [in] a few days. I yet hope to collect more guns belonging to the State. If called into actual service all of them at once, the volunteers of Barnwell would require an addition to their present Arms, at least 500 stand to act effectually. In addition however to the issues which I shall herewith request, I think 200 stand with a few dozen swords and pistols will be as many as I can ask for in the present state of the Armory. These, I can deposit very securely in a room in our court House, which however is a wooden building. For the present I must beg you to furnish arms to Capt. Schmidt's, Capt. Lafitte's and Capt M'Tyeire's companies. These will be necessary to keep them in heart, and induce them to uniform drill. I have furnished each of them with a copy of the bond which they are to sign and forward to you. The arms can be directed to the *Captains respectively* at the points mentioned in my report to you No. 1. The 200 stand had better be directed to me and sent by the railroad with Capt. Schmidts. Capt. Johnston desires 30 brace of pistols, and about 25 swords. For these he will forward you his bond, and they can be directed to him at Johnston's landing on Savannah River. We are very much in want of powder and lead. There is perhaps no district in the State of the same size so deficient. A few dozen of the one, and a few hundred of the other are almost indispensable. If it be deemed unsafe to forward them

by the railroad let them be sent to Johnston's landing. As to the deposit of Arms &c at Columbia and Edgefield, I have only to say, that this district can be furnished more conveniently from Charleston than either, except a small portion of it, which will be nearer Edgefield until the rail-road is opened to the Levels.

In regard to provisions I shall be prepared. I can furnish a *few men* in the manner you require that might be depended on. Say 25.

I wish you to forward me by the middle of next week 3 dozen commissions more.—direct to Barnwell, as I shall be on Buford's Bridge on the 15 and 16<sup>th</sup> reviewing the 43<sup>d</sup> Regiment. Between this and the 1<sup>st</sup> of May or June very little corn will be sold. It is abundant on the Savannah River, but not so in other parts of the district.

Very Respectfully

Your obedient servant

JAMES H. HAMMOND

Col. W<sup>m</sup> E. Hayne.

XXVIII. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON 7<sup>th</sup> Feb. 1833.

*Dear Sir*

You will doubtless be curious to learn something about the Mission of M<sup>r</sup> Leigh.<sup>1</sup> It is desired by M<sup>r</sup> L. that until he communicates with the Legislature of Virginia nothing sh'd be published here. I give you the following therefore for your own information and that of our friends. The object of this Mission is *first* to prevent an immediate "appeal to force," *second* to get a suspension of our Ordinance until the end of the next session of Congress. On the first point we shall inform him that public opinion has already suspended the Ordinance until the 4<sup>th</sup> March next, and that no "appeal to force" is designed on our part unless to *repel* unlawful violence. On the second point he will be informed that the Convention will be reassembled early in March,<sup>2</sup> when the propositions from Virginia will be submitted, and will doubtless receive the most respectful consideration. No one is authorized to say what the Convention will do. It would be useless to convene the Convention before March as its proceedings would not be known in time to influence the decisions of Congress, and besides we ought to have our members at home and know what has been done.

This course will be satisfactory to M<sup>r</sup> Leigh and Virginia and is one which we should in almost any event have found it necessary to pursue. M<sup>r</sup> Leigh will probably remain in South Carolina until the Convention meets.<sup>3</sup>

<sup>1</sup> By resolutions of the general assembly of Virginia, January 26, it was resolved that mediation between South Carolina and the executive government of the United States should be undertaken; and Benjamin Watkins Leigh was sent as a commissioner for that purpose. *State Papers on Nullification*, pp. 328-331.

<sup>2</sup> Governor Hamilton, as its president, by proclamation of February 13, summoned it for March 11.

<sup>3</sup> He did so, and was invited within the bar of the Convention and treated with much consideration.

The tone of the public mind here is firm and excellent and things are **on** the whole going on as well as could be expected. The accounts from all parts of the State are most gratifying. I have just rec<sup>d</sup> your letter **of** the 4<sup>th</sup> ins<sup>t</sup> and send you a check on the Agent at Hamburg for \$1000. On receiving it you will forward me a general acknowledgment for **the** same, and finally when the fund is exhausted forward the vouchers for **the** several accounts paid. The strictest economy must be observed in **all** your expenditures. In relation to the legal question which you have put I would say, that *my first impression* is, 1<sup>st</sup>, that 8 companies associating *may* be rec<sup>d</sup> as a Reg<sup>t</sup> but if convenient two others must be secured of Light Infantry or Riflemen, 2<sup>d</sup> that an existing Reg<sup>t</sup> volunteering **as** a whole *may* be rec<sup>d</sup> *as they are* with their present officers, tho' consisting of only 8 companies &c., 3<sup>d</sup> I think the old Law should be the **rule** as to Squadrons and Regiments of Cavalry. As to Schultz's account **it** is inadmissible. The State cannot afford such expences. Your own contracts must of course be complied with, and perhaps something more *may* be done to *compromise* the affair, but to expend \$40. for *Music*, when we want every cent for *Arms* is out of the question. I expect a supply of Arms to be shortly rec<sup>d</sup> at Hamburg. I shall direct them to you, **you** will take them to Edgefield and wait further orders.

In haste yrs truly

ROB Y. HAYNE

P. S. It is true that Vessels have been stopped by the Cutters, and after some detention they have been allowed to come up. This proceeding **wants explanation.**

XXIX. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

SILVER BLUFF 7<sup>th</sup> February 1833

*My Dear Sir*

I returned last night from a tour of duty. I have to day drawn up a report for the Assistant Adjutant and Inspector General which contains a full account of the military Organization of the District so far as **it** has progressed. I think the tone of feeling and state of the Volunteer roll as well as organization will now make it politic to call out the Regiments and have accordingly done so for the 16<sup>th</sup> and 23<sup>rd</sup> of this month as you will perceive by copies of orders which I have inclosed to Col Hayne. At these reviews the strength of our cause will be pretty well exhibited. I have set down the number at 850, about two thirds of the fighting men. I hope there will be more. But these you may depend upon as staunch. The late movements in Congress have excited the people very much and if Wilkin's<sup>1</sup> bill becomes a law they will be prepared for anything. The decided impression now is that there will be a war and the idea appears to excite the people. The shock that was felt upon the first indications of settling our controversy with the sword

<sup>1</sup> The Force Bill, introduced into the Senate on January 21 by William Wilkins of Pennsylvania.



is wearing off and there is every prospect of as much unanimity among the people on this question as any of a political character whether of war or peace that was ever proposed to them. On Saturday last I attended a muster in a neighbourhood where they have hitherto been nearly equally divided. After descanting to them freely on Wilkin's bill and Irby's Letter every individual present—the Union men among the first, volunteered. On Monday we had quite a spirited meeting at Barnwell. The Volunteer Veterans were inspected and commissioned. There are 77 on the list nearly all of whom were present. The average of their ages is within a fraction of 61 years. Five of them are 80. The majority of them are very stout and athletic and all full of spirit. They have made it a special request to be first ordered into service and they are really earnest in it. A few excepted there is not a company of the same number in the state that will be more efficient. Many of them fought through the Revolution, most of them were in service during the last war. The spectacle they exhibited was really solemn and effecting. The parade being over they were marched into the Court House followed by a great crowd and were addressed by Judge Harper, Col Preston and Col Butler. These addresses have given a new impulse to the spirit of Barnwell. Every one seemed ready to fight and all appear animated by a most thorough conviction that we are unconquerable. I am sure the difficulty with us will not be the want of men but officers and means. It will take one year at least to make our army efficient in point of discipline. The United States have greatly the advantage in this respect and no human power can remedy the defect at once. We should by all means have a military department in the college. In regard to money it is important to be looking out even now. We shall certainly have to borrow money and the moment a blow is struck negotiations should be set on foot for straining our credit to the utmost, at once when it will be best. In the mean time the private resources of the Whigs should be taken into consideration. On this point I will speak for myself at once. I hold my property all of it as much at the service of the state as my life: but to calculate on something short of extremities I think I can furnish you next year with the proceeds of an hundred bales of cotton. I did think of making a large provision crop but reflecting that I was on the frontier of Georgia and flanked on all sides with Union men I thought perhaps it would be safer to plant cotton and furnish the State with the proceeds. If the seasons are ordinary I can afford to give at least one hundred bales without depriving myself of the means of meeting the contingent expenses of my official situation. For this I will take the States certificate or no certificate if the times require it. If it should be preferred I would cheerfully turn over to the service of the State from the time the first movement is made all my efficient male force to be employed in ditching, fortifying, building as pioneers &c. Of course not to bear arms which would be dangerous policy not to be justified only by the greatest extremities. But as I said before the difficulty will not be want of men for any service. I feel very

uneasy about the state of our finances and although I would not hesitate in our course one moment if there were not a dollar in the treasury still it is prudent [to husband?] and if possible augment our resources to meet the crisis. I trust no resort will be made now at least to increase taxation the people would not bear it whatever our descendants may have to do.

I know you are too much occupied to write to your aids fully of your views of the state of affairs, but I feel the importance of not being wholly ignorant of them. The private opinions and purposes of the Whigs of Charleston are anxiously sought for by the people of the interior of all classes. Yet so far as I know they are a profound mystery to every one. How would it do to have short hand bill address[es] struck off at every new [turn] of affairs explaining succinctly and [clearly] the current state [of] events to be circulated through the medium of the old associations? I can say for Barnwell that such a thing would have the happiest effect. The people have a rabid appetite for information and it should be afforded in some way that they can confide in. All that is wanting to make them precisely what they should be is light, and in these times every spark has its effect.

XXX. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

*private.*

Executive Department

CHARLESTON February 12, 1833

*Sir*

Your Reports and Requisitions for Arms have been received. I am truly sorry to say that the demand for Arms exceeds *five times over* the number in possession of the State. To answer these calls is therefore impossible. Our supplies come in slowly—we have no manufactories, and indeed the finances of the State would be exhausted in procuring half the number of arms that have been called for. You will see at once therefore that a *strong appeal* must be made to the *Patriotism* of the people to furnish themselves with arms and equipments so far as may be practicable and that nothing must be drawn from the Arsenals that can possibly be spared. In the *Depots* we must keep on hand the *means* of *supplying* all *deficiencies* in Arms &c. when Troops are called into the field. If 500 fire Arms were issued to day and in three months a call were made for 500 Men, 100 at least of these arms would be wanting or unfit for use. The Returns shew that there are not now ready for service in the hands of the men one half of the Arms issued within *the last two years*. Economy and sound policy both conspire therefore in requiring that we should make no issues that can possibly be avoided, but must *husband our resources* for a time of need. You must therefore *turn out*, and induce the Volunteers in your District to brush up such arms as they have got, and to supply themselves as far as they can. At all events when a call is made let them repair to their place of rendezvous with the *best they can bring* and inform them that every effort on my part will be made to have those who may be called out well supplied. In the mean



time it may be necessary that some small issues should be made to keep the Volunteers in heart. Estimating our present means I will divide among the Districts such number of Muskets, Rifles, Pistols and swords as can be spared and of these you will make the best use in your power. No man should have more than one Pistol, the other may be furnished when he is called out. Of Cartouch boxes and belts we have so few and they are procured with such difficulty that your men must try and supply themselves or provide some substitute. Having made these explanations I annex a Statement of what has been done or can be done now for your District and I confidently rely on your making the best of it.<sup>1</sup>

I am very Respectfully

Your ob. Serv<sup>t</sup>

ROB. Y. HAYNE

N. B. If you have not yet bought powder, do not. I can send you a supply from Savannah. The "Palmetto Standards" can be painted here for \$60 each. Can you afford to *buy* them at that rate? The State cannot furnish.

The following articles have been ordered to be forwarded to Hamburg to the Mess<sup>r</sup>. Walker for you. You will take charge of them when they arrive, and in consultation with Col Wardlaw determine how they can best be disposed of in Abbeville and Edgefield so as to encourage the volunteers and at the same time enable us to count on them when called for.

The articles are

100 Artillery Swords	} Report what number (if any) of these articles you have already rec <sup>d</sup> .
100 Cavalry Sabres	
100 P <sup>r</sup> Pistols	
52 P <sup>r</sup> Holsters	
* 369 Muskets	
80 Rifles	
80 Powder Flasks	
10 Reams Cartridge Paper	(Let Cartridges be made).

300 Waist Cartouch Boxes. These [will] be sent as soon as belts can be fixed to them. I propose to send considerable additional supplies of Arms to Hamburg as soon as they can be procured—not to be issued but *to be kept in the Depots*—distributed say between Edgefield, Abbeville, Columbia and perhaps Barnwell, as Hammond, Wardlaw, Butler and yourself shall advise. For any emergency 100 firearms at a Depot are worth 130 in the hands of the men, because the men who come first into the field get them, and every one counts. Remember this in your distributions.

\* *Give out* no more of these than may be indispensable.

R. Y. H.

Col. F. W. Pickens.

<sup>1</sup> To this point the manuscript is in a clerk's handwriting and apparently constitutes a uniform circular to aides-de-camp.

XXXI. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON, Feb 12, 1833

I have ordered 360 Muskets and 300 Cartouch boxes (such as we have) to be forwarded to Col Pickens at Hamburg, care of A. and G. Walker. Of these you may have 100 for the use of Barnwell Dist. Go and see Pickens and arrange the matter with him, and let him get down a supply of Lead and Powder from Abbeville and let you have what you may want. I shall order also to be sent from this place for your use

60 Rifles and Flasks,  
30 Pair Pistols,  
25 Swords

to Hamburg which you will have disposed of in the best manner. Captains Schmidt, Lafitte and McTeir must be supplied out of them as far as they will go. The Com<sup>rs</sup><sup>1</sup> shall be forwarded. These should always be sent for by some private hand.

R. Y. H.

XXXII. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON 20<sup>th</sup> Feb. 1833.

*Dr Sir.*

I have just rec<sup>d</sup> yours of the 10<sup>th</sup> and in reply would say that I would not at present wish you to purchase more powder; the 50 kegs will be enough. As to the Arms, I should be very glad that an arrangement should be made to get some through the house in Augusta of which you speak. Say to them that it is probable that the State will want large supplies, and ask them to import on their own account say 100 Muskets, and thus ascertain what they can offer them at and what further supplies can be had and at what periods. You may agree to buy there 100 provided they shall not cost more than \$8 a piece, which is the highest price we have yet paid for those manufactured for the U. S. Some we have purchased as low as \$3<sup>50</sup>/<sub>100</sub> and from that up to \$8.—freight and mercantile profit might be added,—and the contract might be extended to a few *specimen Rifles*, Pistols, Swords and Military equipments of all kinds. It would be very advantageous to us to have a channel through which we should obtain military supplies, and it might be made an object to the merchant to have a good customer. While on these matters let the enquiries extend to Mortars say 12½ and 18 inch, shells &c. and also Cannon Powder.

In haste yrs truly

ROB Y. HAYNE

Col. F. W. Pickens

<sup>1</sup> Commissions.

XXXIII. BOLLING HALL TO NATHANIEL MACON.<sup>1</sup>

ELLERSLIE [Ga] 22 Feby 1833

*My Respected friend*

I have not had the pleasure to hear from you since you retired from public business ; since we parted, the signs of the times are indeed portentous ; by the events which have taken place, I am often reminded of your predictions of the encroachment of the general, on the State Governments. It is true I had fearful apprehensions of the prospect before us, but I relied on the intelligence and patriotism of our citizens to preserve us from the curse of a consolidated government. This reliance I cannot yet abandon, tho I must confess the signs are unpropitious. When [we] see Congress assume the right to regulate the labor of the country, to equalize the benefits of soil and climate, to tax one portion of the Community for the benefit of another, and the people too, sanctioning those acts, and the President declare war against one of the States because she refuses to pay more taxes than sufficient to defray the constitutional expenditures of government, and her Sister States stand aloof, I begin to fear that liberty and patriotism have taken their flight. When I saw the President's message at the opening of Congress, I hailed it as the harbinger of better times, but when I arrived at the recommendation of protective duties on articles *necessary in time of war*, I had my misgivings, and which were more than realized when I saw his Proclamation. This high behest sweeps from under us the protection which we anticipated, from the provisions of a federative limited government, and on its ruins is reared the hideous monster, Consolidation, restricted only by its own will. Will the high minded, intelligent patriotic Citizens of the United States submit to such usurpation and such a government ? If they do, then may we exclaim in the language of the Prophet : "The Ox knoweth his owner, and the ass his master's crib, but my people will not consider." By ambition, intrigue, and party, the old Republican party have been divided and subdivided, untill we are shorn of our strength as Sampson was of his hair, by his faithless Delilah. Our eyes have not yet been put out, tho ambition and self-interest has blinded many, who are groping in the dark, and have become the sport and scoff of their surrounding enemies. The bill reported by the judiciary Committee (which I received after commencing this letter)<sup>2</sup> caps the climax—that bill has the sanction of the President and will pass ! Comments on this subject, addressed to you, even were I capable to do so, would be unnecessary. for years you have viewed the approach of the present crisis, and faithfully warned your fellow citizens of the dangers which awaited them. It has arrived—and we are called on to support a federative government of limited powers, or submit to an unlimited consolidated government dependent on the will of a bare majority in Congress.

<sup>1</sup> From the Nathaniel Macon Papers now in possession of a descendant of his, Mrs. Walter N. Macon, of Richmond, Va. Bolling Hall was a member of Congress from Georgia from 1811 to 1817.

<sup>2</sup> The Force Bill.

The President and Secretary of the Treasury has told us the revenue will produce six millions of dollars more than sufficient to pay the constitutional expences of the government ; thus are taxes levied, equal to 50 cents on every man, woman and child, in the U. States, for the benefit of manufactures, and to enable a majority in Congress to riot in the expenditure of the people's money. So Carolina one of the Old Thirteen United States whose Soil has been consecrated by the blood of her revolutionary patriots, has raised the Standard of opposition to this system of injustice, oppression, and tyranny ; for which the bayonets of the federal army, and the thunder of the Cannon of the Navy are to be directed against her ! If the President had been as sincere, and urgent, to restore peace and harmony to a distracted discontented people, by having the taxes reduced to the legitimate wants of the government, as he is to humble So Carolina no person doubts but his influence was sufficient to have done so. But I will drop a further discussion on [these] subjects untill I hear from you, and I ask as a favor a full expression of your opinion on passing events.

With respect and friendship

I am yours &c

BOLLING HALL

Honble N. Macon

forward your letter to Montgomery Alabama.

XXXIV. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF 24 Feb. 1833

*Sir,*

Since my last I have received from Governor Hayne his favour of the 12 inst. I had promised no arms to the Volunteers of Barnwell, except to the companies of Schmidt, Lafitte and McTyiere. These I did hope your means would have enabled me to equip completely, as they are very spirited corps, handsomely uniformed and likely to be permanent. The 100 muskets which I am authorized to get from Col. Pickens will more than supply Capt. Schmidt, while the 60 rifles will not half supply the others. Is it not possible to give me 130 rifles and flasks, and 70 muskets? In forwarding the arms to Hamburg you have sent them to the most inconvenient place possible upon the river. Those for Capt. McTyiere will have to be transported back precisely half way to Charleston, and those to Capt. Lafitte I shall send down the river just half way to Savannah. The Steamboats are constantly in the habit of landing articles along the river and it would have saved 20 miles nearly of land carriage to have had them set down even here at Silver Bluff. Lafitte lives at Matthews Bluff and McTyieres first Lieutenant at Midway. Let me request of you never to forward any thing for this district to Hamburg wh. is 5 miles further off than Augusta unless you cross the river twice. It would be more convenient for me to receive them at the door of the Arsenal in Charleston, and less expensive to the State.

It is in vain to make an appeal to the patriotism of more than one man in fifty for the purchase of arms. Such as they have, the people of Barnwell will use and use well, but they are too poor to buy. Whenever they are called into regular service the State must expect to arm them, if they are to act efficiently. They may skirmish in the woods and harrass invaders with their shotguns, but they cannot stand a moment in the field before a regular force properly equipped.

I have now the honour to submit something like a full report of the Volunteers of Barnwell. I ordered a review of the 43 Regiment at Buford's Bridge on Saturday the 16. There was a pretty good turn out. Gen' Erwin reviewed and addressed them. The whole regiment volunteered, but about 70. Of these all pledged themselves to defend the State when invaded by *any foe*, except 19. I estimate the Volunteers of this Regiment at 550. I ordered a review of the 11 Regiment at Ashley's Yesterday. About 150 refused to Volunteer. All of these however pledged themselves to defend the state against *any foe*, except 15. I estimate the Volunteers of this Regiment at 375. In all Barnwell has volunteered 925 men. I think I may now safely say that she will furnish a thousand in the event of war. I am happy also to state that on the 4<sup>th</sup> of March we shall be thoroughly Organized. You will see by the copy of an order enclosed that an election for Col., Lt. Col. and Major will take place next Saturday and that I have divided the district into Battalions. On the same day two companies will elect officers, including wh. I shall then have organized and officered—one company of Cavalry, Two of riflemen, and nine of infantry. I have inspected most of them and so soon as I am furnished with commissions to commission them will send you the Officers names.

I collected at Beauford's Bridge 51 stand of public arms in wretched order and wanting repairs. I contracted with Mr Jacob R. Mayer to put them in complete order for \$60. To carry them to his shop and back will cost \$8 more. As soon as repaired I will distribute them or send them to the Court House if you wish. Capt. Tindall's company was probably dissolved last Saturday. I ordered him to have his arms boxed up and sent to Charleston to you, if the expected dissolution took place. As soon as repaired I shall expect them sent back. You have rec<sup>d</sup> several bonds for arms—will you send them back to me or how?

Your most Obedient Serv<sup>t</sup>

JAMES H HAMMOND

XXXV. GENERAL ORDERS.

Head-Quarters,

CHARLESTON, 27th February, 1833

It having been represented to the Commander in Chief, that Companies to which Public Arms have at various periods been delivered, have in many cases been dissolved, and that many of the Public Arms

are now in the hands of persons who have become possessed of them, without lawful authority, or have given no acknowledgments for the same: It is hereby Ordered that all such Arms be forthwith returned to such Officers as may be appointed to receive them. No person can be permitted to receive or retain Public Arms, but members of regularly commissioned Troops or Companies who may have given, or shall give when required, *acknowledgments* for the same in proper form. Should any person who may be liable under this order to return Public Arms refuse or neglect so to do, such neglect or refusal, with the name of the party, will be forthwith reported to the Commander in Chief, that such measures may be taken as the law directs.

*By order of the Commander in Chief.*

WM: ED: HAYNE.

Ass<sup>t</sup> Adj. and Insp. General.

[To this printed circular is added in manuscript, in the copy sent to Col. Hammond, the following note.]

I am directed to transmit the above with extra Copies to be signed by you, which you will so extend as to effect the object in view. A Fresh supply of Books having been received you can now be furnished from Columbia or Charleston. The Bonds for Arms which have been not been supplied will be retained until you come here when they will be delivered up to you.

XXXVI. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON March 6<sup>th</sup> 1833

*Dear Sir*

I shall leave Charleston tomorrow for Columbia where I shall remain during the sitting of the Convention<sup>1</sup> and probably longer. All official communications must be addressed to me at that place.

The passage of Clay's Bill according to the general opinion here will settle our controversy with the General Government for the present. Still we must not relax our efforts until we see what course the Convention will take.

I am very respectfully

Y<sup>r</sup> Ob<sup>t</sup> Sv<sup>t</sup>

ROB. Y. HAYNE

Col. J. H. Hammond.

P. S. If you do not propose to be in Columbia at an earlier day, I should be glad to see you there on Monday, the 18<sup>th</sup> inst.

XXXVII. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF 7<sup>th</sup> March 1833

*Sir*

I received yours of the 27<sup>th</sup> ult enclosing orders which I have executed already. There were but two volunteer companies in Barnwell that

<sup>1</sup> The second session of the convention was to begin on March 11.

have been dissolved. The arms of one of them as already stated are at the shop of M<sup>r</sup> J. R. Maher. Those of the other have been all collected except one which was stolen by a runaway negro as you will see by an affidavit that will be forwarded. The arms you will receive soon. A bond was given for them by Capt John M<sup>c</sup>Tyeire to the Abbeville Arsenal Keeper some years ago which he requests you will have returned to him as soon as you receive the arms. This is but just and I trust you will not forget it. I went to Hamburg a week or ten days ago and found everything ordered for this district except the muskets. I directed Messrs Walker to send them all down to the Bluff by a Steam Boat from whence I intended to transport them to the Court House. I have heard nothing of them since and have delayed giving the arsenal Keeper a receipt for them until they arrive here. I have seen Col Pickens who says that he expects to receive a supply of powder and lead from Charleston and that I had better get what I want from you. Thus you refer me to Pickens and he refers me to you. I want about a dozen Kegs of powder and 1000 lb of lead from some quarter or other.

On Saturday last we had an Election for officers to command our Regiment. Sampson H. Butler was elected Colonel and G. I. Trotti and G. A. Sweat Majors. Upon casting lots the Leut Colonelcy fell to the former. There are Thirteen large companies in the Regiment. Address the Col and Leut Col at Barnwell, The Majors at Lower 3 Runs P. O. Address Capt M<sup>c</sup>Tyeire at —

Very respectfully

Yours.

P. S. Be good enough to forward to me Care of Col Butler at Barnwell about 30 Books which I think will supply the Volunteer Regiment.

XXXVIII. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

Executive Office

CHARLESTON 29 Mar 1833

*Dear Sir*

The arsenal Keeper has been directed to forward to you through Mess<sup>rs</sup> Boyce and Henry 12 Kegs of Gunpowder and 500 Pounds of Lead, which when rec<sup>d</sup> you will duly acknowledge.

Respectfully your obt Serv<sup>t</sup>

ROB. Y. HAYNE

Col: J. H. HAMMOND  
Barnwell C. H.

XXXIX. WM. E. HAYNE TO JAMES H. HAMMOND.

CHARLESTON April 1<sup>st</sup> 1833

*Sir,*

It being desirable that the whole number of Volunteers shall be known and the Roll's completed you will as soon as possible after the receipt of this order Report to the Ass<sup>t</sup> Adj. and Insp. Gen. in this place:

- 1st. The whole Number of Volunteers in your District organized and un-organized.
- 2d. The Number of Regiments, Battalions, Squadrons and Companies duly organized and the Names of such Officers as have not been *already* reported.
- 3d. How soon the Organization of the remainder will be completed and what number and description of Corps they will form.
- 4th. How many and what description of Arms if *any* have been distributed among the Volunteers.
- 5th. Any general Remarks or information you may think proper to furnish.

By Order of the Commander in Chief.

WM : ED : HAYNE,

Ass<sup>t</sup> Adj. and Insp. General.

N. B. Should there be any contracts or accounts against the State in your District they must be promptly brought to a close and the accounts rendered.

XL. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

SILVER BLUFF 3<sup>d</sup> April 1833

*Dear Sir,*

I returned last night from Barnwell where I rec<sup>d</sup> your letter informing me that you had placed 12 Kegs powder and 500 lbs. lead with Boyce, H.<sup>1</sup> and Walter for me. I got from Col Pickens 89 lbs. musket balls. Can you supply me with a set of bullet moulds for muskets? The Troop that I spoke to you about has been formed. There are 40 regular members and they will get 12 honorary ones to meet the requisition of the law. Can you give them any thing besides spurs? A troop is not a troop without equipments, and you know that suitable swords and pistols cannot be procured by individuals. If you can spare 40 sabres I think they would be well disposed of to this company and would probably satisfy them for the present. They are a very spirited set of men and a little encouragement will make them staunch forever. The Company is formed in a part of the country where the Union Party has preponderated and this furnishes an additional reason for giving them some encouragement.

Upon consulting with the Officers of the Regiment we have come to the conclusion to have our Review in May say the 11 or 18 whichever will suit you best. It has been postponed so long in consequence of the resignation of Col Butler our Colonel. I have ordered a new election for the 13 inst. and a month will probably be requisite for equipping the Colonel and his staff. Be good enough to drop me a line as soon as convenient on this point, and in reference to the arms of the troop.

I have nothing of general importance to communicate. The spirit of our people I do not think flags a great deal, and I believe there will not be any difficulty in keeping them alive to the importance of Military

<sup>1</sup> Henry.



preparation as well as political energy until a more thorough revolution in our favour is effected. The press must keep up its tone and a few well written essays suitable to the times are called for. The effect of them abroad however should be considered as well as that at home.

Your General Orders have been rec<sup>d</sup> and forwarded. I had not enough copies and should like to have a dozen more if you could send them by a private hand.

Very respectfully

Your Obt Serv<sup>t</sup>

JAMES H. HAMMOND

P. S.

I wish you would order the Rifles sent from this District to be mended to be sent back again with flasks, as soon as they are finished, either to Capt John M<sup>c</sup>Tyeire at Medway or myself at Silver Bluff.

XII. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 4<sup>th</sup> April 1833

Dear Sir

You will see by the Papers that the Volunteers here have been reviewed and a Standard presented to them in behalf of *The State*. Whenever the Volunteers may be disposed to assemble in Numbers not less than a Regiment, I should be disposed to pay them the same Compliment. But you must not understand that they will be ordered out for this purpose. My desire would be to conform to their wishes on this subject, if made known to me.

Very Respectfully,

Yours

ROB<sup>t</sup>. Y. HAYNE

Col J. H. Hammond

XIII. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 8<sup>th</sup> April 1833.

Dear Sir

I rec<sup>d</sup> yours of the 3<sup>d</sup> yesterday and have this day issued orders to have 40 Sabres and Belts (and the Bullet Moulds if on hand) forwarded to you through M<sup>r</sup> Boyce. If Pistols are found *indispensable*, I may send you 20 Pair, and also the Spurs. If I am to Review in Barnwell this Spring, the earlier in May the better. You must consult Pickens, and let me have your joint views. Gun Rifles shall be sent with Flasks as you request — but they have not yet come to hand.

In haste yours truly

ROB. Y. HAYNE

Col. J. H. Hammond

XLIII. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

SILVER BLUFF 22 April 1833

*Dear Sir*

Having been elected on the 13 inst. Colonel of the Barnwell Volunteer Regiment I beg leave to tender you my Commission of Aid de Camp which you did me the honor to confer upon me. It has not been my wish to withdraw from your Military family, but the Volunteers having chosen me for their Commander without my solicitation and under the circumstances which I detailed to you in Columbia it is out of my power to refuse their appointment. It will afford me the greatest pleasure in the situation to which I have been transferred to co-operate with you in effecting any Military purpose in this District or else where and you may rest assured of my prompt and zealous attention to your commands.

According to the directions contained in yours of the 8 inst I wrote to Col. Pickens. he informs me that he cannot be prepared for a Review before the 19 or 20 May, and requests me to put off mine until the 17 or 18. To suit his convenience and what I suppose will be yours I have accordingly ordered a review as Colonel of the Regiment and not as Aid for the 18 of May. I have informed the men that you will be up and present them with a standard. I trust we shall have a large turn out. At the review I will present you with such papers relating to my past duties in the District as may be necessary for you to have or will be useful to my successor.

P. S. I have promised Cap<sup>t</sup> Graham his Sabres at the Review. They have not yet arrived here.

XLIV. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF 22 April 1833

*Sir*

In answer to your question contained in your letter of 11<sup>th</sup> April inst I report

1. That according to my first estimate there were Nine Hundred and Twenty five Volunteers in Barnwell District. There may have been a few added to the lists since. Of these about Eight Hundred and seventy five or nine hundred are Organised. The remainder are in squads too far distant from points of concentration to be organized.

2. We have one Regiment, two Battalion, ten Infantry Companies, two Horse and two Rifle Co. The names of the Regimental officers are as following. James H. Hammond Colonel, G. I. Trotti Leut-Col, G. B. Sweat Major, William Duncan Adjutant, Infantry Captains J. F. Schmidt, S. H. Butler, Leroy Allen, Jeremiah Minor, Jesse Lancaster, Robert Willis Jr., John Walker, Ulmer, Miller and B. O'Bannon. Rifle — John M<sup>r</sup> Tyiere and D. M. Laffitte. Cavalry Richard Johnson and L. C. Graham. The names of the Subaltern officers I cannot give. At a

review which is to take place on the 18 of May I can if it is desired obtain the names of all the officers and men.

3. Already answered.

4. I have delivered and taken bonds for seventy five Muskets, Catoch boxes bayonets and bayonet belts, Thirty Rifles and Flasks, Thirty pair of pistols, Twenty five Sabres and 3000 percussion caps. I have on hand Thirty Rifles and flasks, Fifty one Muskets and forty eight bayonets. I am informed by the Governor that Twelve Kegs of powder, 500 lb of lead and forty Sabres and belts have been left for me in the hands of my factor in Charleston. My Factor writes me that he believes they were forwarded to me by the Governors private Secretary. The Boat in which they were to come left articles for me at my landing but none of those nor do I know any thing more of them.

5. I have no remarks to make of any consequence. I have some little accounts against the State for expressing arms and hauling them which I will present to the Governor at the Review. They will not exceed \$100.

Respectfully  
Your

XLV. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 24<sup>th</sup> April 1833.

*D. Sir.*

I learn from Col. Pickens that you cannot have your Volunteers ready for Review before the 18<sup>th</sup>. As the weather will then be very warm and oppressive to the troops I should prefer a postponement of the Review to the fall. Pray give the proper notice.

In haste y<sup>r</sup> truly,

ROB. Y. HAYNE

Col Hammond

XLVI. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

SILVER BLUFF 4<sup>th</sup> May 1833

*Dear Sir*

I received your letter of the 24 ult desiring a postponement of our Review until the fall. I forwarded it to my Adjutant at Barnwell with orders to countermand accordingly. I have just received a letter from him stating that it is the earnest desire of all the officers whom he has seen to have a regimental muster at all events and that he has delayed countermanding the first orders to hear from me again. I shall immediately write him that if it is the general wish to have the Regiment out even if you do not attend, that I shall not object, but will attend myself. I make these explanations that when you learn there has been a Review you may understand how it was. You will not be expected up, but if it will suit your convenience we would esteem your presence a high compliment. I am sorry there should have been any difficulty about the matter

any way. I put off the review from the 11<sup>th</sup> [to] the 18<sup>th</sup> purely to oblige Col Pickens and would have had it a week sooner if I had thought it material to you. we could have paraded to day very well.

Some time ago you informed that the 4 sashes and Belt were ordered for Capt. Graham. I immediately wrote to him and promised to have them at the Review. I have heard nothing of them since. I will be much obliged to you to direct them to be forwarded immediately to me at this place or to be delivered to Boyce and Co. without delay.

Very respectfully

Your obt. servt

JAMES H HAMMOND

XLVII. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 7<sup>th</sup> May 1833.

*D. Sir.*

I have just rec<sup>d</sup> yours of the 4<sup>th</sup> inst. I leave here tomorrow to Review the Beaufort Volunteers on the 10<sup>th</sup>. My business will not permit me to lose so much time as to remain in the country between the 10<sup>th</sup> and 18<sup>th</sup> and tho' very anxious to see the Barnwell Volunteers I must forego that pleasure. I have a Standard, however, ready for you. M<sup>r</sup> W<sup>m</sup> Ed. Hayne is instructed to forward it to you by the Rail Road or other safe conveyance of which he will give you due notice. Present it to the Brave Volunteers of Barnwell in my name as Chief Magistrate of the State, and say, that I have the fullest confidence that if called upon to unfurl it in defence of our rights—they will bear it in triumph or be buried beneath its folds. Return them my thanks and make this gift acceptable to those who I well know are worthy of it.

Very truly yours,

ROB. Y. HAYNE.

P. S. Cap<sup>t</sup> Graham's Sabres have been ordered and I presume sent. I shall direct the proper inquiries to be made and if practicable they shall be forwarded by the day of Review.

May 7 1833

The above were sent by the Steamer Augusta to the care of A and G Walker, Hamburgh, and no doubt have been received before this. I have concluded to send the Flag by the Stage to Barnwell C. H. I cannot have it properly packed before tomorrow. As soon as it [is] sent I will drop you a line.

WM: ED: HAYNE

May 8. 1833.

XLVIII. WM. E. HAYNE TO JAMES H. HAMMOND.

CHARLESTON May 10<sup>th</sup> 1833

*Dear Sir,*

The Flag neatly packed in a Box and the Staff were this morning sent by the Stage directed to yourself to the Care of Col. S. H. But-

ler, Barnwell Court House. I directed the Fare to be paid and gave particular Charges to M<sup>r</sup> Lumpkin, one of the Contractors, respecting it. I have written to Col<sup>o</sup> Butler, upon receiving it, to open the box and unfurl the Flag so as to air it, for having been lately painted it may not be perfectly dry. It requires nothing but being attached to the Staff which can be done in five minutes. I trust there will be no disappointment respecting it.

Very Respectfully  
Your friend and ob Serv<sup>t</sup>.

WM: ED: HAYNE

Ass<sup>t</sup> Adj. and Insp. Gen<sup>l</sup>

XLIX. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF 30<sup>th</sup> May 1833

*Dear Sir*

Having resigned my commission as Aid de Camp to the commander in Chief, I inclose you the Bonds of Captains M<sup>c</sup>Tyeire, Schmidt, Laffitte and Johnson for arms delivered to them by me. I have had a room fitted up in the Court House, where I have now, undistributed Fifty two muskets, forty eight bayonets, which I reserved from the Beaufort Bridge Company and had repaired and transported to the Court House. The powder and lead is probably on the way from Hamburg to Barnwell and with them Captain Grahams Swords. By this time you have received the Rifles sent down by Capt M<sup>c</sup>Tyeire to be repaired. When repaired the Governor has promised that they shall be returned and it is absolutely necessary they should and that as early as possible. I wish you to divide them and send one half to Cap<sup>t</sup> John M<sup>c</sup>Tyeire, Midway, and the other half to Cap<sup>t</sup> D. M. Laffitte, Mathews Bluff. There cannot be the slightest difficulty in doing this as private persons are every day receiving supplies at both places. It will save a world of trouble to all concerned here and at least three fourths of the expense. I will get the bonds. Be good enough to forward the Bond given by Cap<sup>t</sup> M<sup>c</sup>Tyeire originally for these arms to him at Duncansville and also all the bonds lately transmitted to Charleston from this District to be filled up for the arms for which the inclosed were given. I send you also a receipt for all the money I have expended in this District for which I consider the state properly accountable. You will perceive that the items for transportation from Hamburg are large. Of this you will recollect I gave you the proper intimation beforehand. You will oblige me by calling on my factors Boyce Henry and Walton and settling the amount of the receipts.

I will want both books and commissions for my Regiment. I will thank you to forward me a dozen of each addressed to William M. Duncan my adjutant at Barnwell C. H. as soon as convenient.

The flag was received and presented.

Yours

Col Wm. Hayne

L. WM. E. HAYNE TO JAMES H. HAMMOND.

CHARLESTON June 22<sup>1</sup> 1833

*Dear Sir*

A few days since I sent by the Stage addressed to you to the Care of Wm. M. Duncan, Barnwell Court House, a Package containing Four Copies of Hoyts Cavalry Tactics, Twelve Copies of Infantry Tactics, Twelve Blank Military Commissions and the several Bonds that had been sent here and the Arms not delivered. The Arsenal Keeper reports that he has not yet received the Rifles which you say Capt M<sup>c</sup>Tyeire has forwarded to be repaired. whenever received and repaired they will be attended to. The Arsenal Keeper says he cannot find among his papers any Bond given by Capt M<sup>c</sup>Tyeire for the above Rifles.

The amount of the accounts forwarded has been paid to your agents Boyce, Henry and Walter.

Very respectfully

WM: ED: HAYNE.

Ass<sup>t</sup> Adj. and Insp. Gen<sup>l</sup>

I presume that Isaac<sup>1</sup> has informed you that I am a Candidate for Treasurer of the lower Division at the next Session and has requested your influence and particularly with the Members of [the] District.

LI. ANDREW JACKSON TO NATHANIEL MACON.<sup>2</sup>

WASHINGTON Sept. 2<sup>nd</sup> 1833

*Dear Sir*

I am glad to find, by your letter of August 26<sup>th</sup> that the position<sup>3</sup> taken by me, against secession, is the only point of my proclamation, which you condemn. Others have assumed, without specifying in what particulars, that the principles of that paper are in opposition to those which distinguished the republican party during the era of Mr. Jefferson's administration. You have been frank spirited, but the grounds of objection pointed out in your letter to me so far from making a departure from the recognized doctrines of the republican party of that period, is a practical illustration of them. You do not hesitate to admit that the measures recommended by Mr. Jefferson to enforce the embargo in the contemplated case of resistance by Massachusetts, and for which you voted, were the same in principle, with those recently adopted to give effect to the revenue laws in South Carolina: but you tell me that "Mr. Jefferson and yourself may have done wrong, in the very hot times in which you acted." Allow me to say, my dear Sir, that I think you do great injustice to the motives, which actuated yourself and Mr. Jefferson and the Republican party of those times to which you allude. you doubtless consider

<sup>1</sup> Isaac Hayne. South Carolina still had two treasurers, one for the upper country and one for the lower country.

<sup>2</sup> From the Nathaniel Macon Papers now in possession of a descendant, Mrs. Walter K. Martin, of Richmond, Va.

the Union worthless, unless the laws could be enforced ; and after great forbearance and due consideration, the deliberate but reluctant resolution was taken "*to provide for calling forth the militia to execute the laws of the Union,*" if a case of obstruction should arise within the contemplation of this clause of the constitution. Under circumstances of still greater emergency than those under which Mr. Jefferson acted (when the ordinance had actually passed nullifying the revenue laws), I felt it my duty to act with still greater moderation, than his pacific character had dictated on the former occasion. I first warned and appealed to the affections, to the patriotism of my fellow citizens of the South. I exerted my influence to remove the causes employed to excite discontent among them. When troops were enrolled and actually paraded and trained, with the avowed design to prevent the collection of the revenue after a given day, I still sought to avoid the unhappy collision, by recommending the removal of the Custom houses beyond the jurisdiction of each of the States threatening to oppose by force the collection of the revenue, and in the last and worst event, proposed the use of force only to defend the public officers from actual violence, when engaged in the discharge of their official duties. The measures of expostulation and concession in the first instance, of preparation and discussion in the last, which the wisdom of Congress instanced, I am happy to believe have had the best effects in securing peace and stability to the Union.

I think you state too broadly your maxim, that "*the government of the United States and of the States are governments of opinion and not of power,*" or I should rather say, you apply it improperly, as taking all sanction from the laws. I consider all free Governments, governments of opinion, but should hold ours no government at all, if there were no laws to give effect to the public opinion. We live under a government of laws—laws emanating from the public will, but if there were no means of enforcing public opinion, when embodied in a public law, it would be neither *a government of opinion or force.*

You tell me that a state cannot commit treason. This is true but it does not follow that all the citizens of a state may not commit treason against the United States. "Treason against the United States shall consist in levying war against them, etc." The State authorities of no one State have a right to repeal this clause of the constitution, which all the people in each state *severally*, concurred in establishing. If, therefore, South Carolina had authorised byenactments of a convention, or of her State Legislature, the citizens of the state to levy war upon the United States it would have been nevertheless *treason*, in all who should have acted under such authority. The authority itself would have been in violation of "the supreme law of the land," which the people of South Carolina, with their own consent have bound themselves to obey "*anything in the constitution or laws of any State to the contrary notwithstanding.*" Your remark that force applied to a State Government "*is not hinted at in the Constitution of the United States, because a state cannot commit treason*" and that "*it goes on the ground, that every state will*

perform its duty" is I think met by the passage of the constitution to which I have pointed, as well as its whole tenor. "The constitution of the United States and the laws made in pursuance of it" would never have been declared "the supreme law of the land" with direct and immediate power over individual citizens in every state, "the laws and constitution of any state to the contrary notwithstanding," if the experience under the articles of confederation had not shown that *every state* would not perform its duty.

If however as you imagine none of the States gave up the right to secede, then indeed, the establishment of a general Government, a "*supreme law of the land*," by a solemn compact among the people of the several States respectively, was entirely a nugatory act. There would, then, be no obligation in the constitution or the laws of the United States, but what is still made dependent upon the mere pleasure of the state authorities; and our system would present the absurdity of establishing a general government, with the consent of the people in each of the states, having a paramount power, "the constitution and laws of any state to the contrary notwithstanding" and nevertheless ensuring to each and every one of the States, the right to overthrow by a state law, or a clause in a state constitution, the supreme law of the land !! or in other words to set it aside by secession !!

In my opinion, the admission of the right of secession is a virtual dissolution of the Union. If it were [an] established principle in any community, that laws are only to have such obligation as each individual might choose in his good pleasure to allow, such society (if society were possible in this state of the case) would be without laws or government. So of the States. If the Federal Government and its laws are to be deprived of all authority in a state by its mere declaration *that it secedes*, the Union and all its attributes depend upon the breath of every faction, which may obtain a momentary ascendancy in any one state of the Confederacy. To insist, that secession is a reserved right, is to insist, that each state reserves the right to put an end to the Government established for the benefit of all and that there are no common obligations among the States. I hold the states expressly gave up the right to secede, when they entered into the compact binding them in articles of "perpetual union," and more especially when the present constitution was adopted to establish "a more perfect union" equally binding as to duration. That more perfect union consists in the "supreme law of the land" which the Government of the United States is empowered to maintain *within its proper sphere* independently of the States Government, and whether they pass a law or constitutional provision of secession or not, because it is still to be the supreme law of the land "*anything in the constitution or law of any state to the contrary notwithstanding*." The only right of secession from a government and more particularly from a government founded upon mutual concessions, and obligations among the members forming it, is the revolutionary right—secession can never take place without revolution; and I trust, if it ever should happen that one



section of the union is subjected to *intolerable oppression or injustice* by another, and *no relief* can be obtained through the operation of public opinion upon the constituted authorities, that the right may be as successfully conducted by the wronged and oppressed against our present government, as it was against that which we threw off by the revolution which established it.

I send you herewith the proclamation, the report from the Department by which it was seconded, and the law passed consummating them. I hope you will receive them as an earnest of the high respect I bear you ; and if on comparing them, you find the principles I have advanced and the measures I have recommended, the same in effect, with those which were proclaimed and carried out by Mr. Jefferson, yourself and other fathers of the school of 1798, I hope you will do me the justice to believe, that we follow precedents of such high authority and which have been sanctioned by almost universal approbation of the country from that time to this. I was altogether unconscious, that they were fraught with the dangerous tendencies, imputed in your published letter to Mr. Corson.

I beg you to believe that nothing but a wish to vindicate my conduct and consistency to one whose character I so highly esteem—whose probity and pure patriotism gives weight to his most casual opinion—could have induced me to intrude on your retirement [ *mutilated* ], which the publication of your letter invited.

With the kindest feelings and best wishes for your contentment and happiness in your last days,

I am Dr Sir

Yours respectfully

ANDREW JACKSON.

The Hon<sup>ble</sup>

Nathaniel Macon.

LII. WM. E. HAYNE TO JAMES H. HAMMOND.

CHARLESTON Oct. 5th 1833

*Dear Sir,*

I have never yet received a full Return of the Number of Volunteers in Barnwell District nor the Manner in which they are organized. I have received the names of the Field Officers of the Regiment of Volunteers, but I have no information of the number of Companies of which it is composed, the number of men in each Company or even the number of men in the Regiment. What companies of Volunteers within the District are not attached to the Regiment? if any what numbers are they composed of? The Governor wishes to make a Report upon the Subject to the Legislature ; to enable him to do so, will you furnish me with the necessary information respecting the Volunteers of your District. I have from you several *Estimates* of the whole number but you have never made a regular return. The Governor is now absent on the Re-

view of the Volunteers in some of the upper District and will return about the 20<sup>th</sup> of next Mo.

Very Respectfully, Yr Mo obt  
WM: ED: HAYNE,  
Ass<sup>t</sup> Adj. and Insp. Gen<sup>l</sup>

LIII. JAMES H. HAMMOND TO WM. E. HAYNE.<sup>1</sup>

SILVERTON 25 Oct 1833

*Dear Sir*

I am sorry that it is not in my power to furnish the Governor with any accurate statement of the volunteers of this district. I forwarded to you all the lists I could obtain. This District is so large and heretofore there has been so little system in military matters that I never could get complete lists. I should have done so in a few weeks had not peace been declared, after which it was impossible. from what I have seen of them, and [I] have seen nearly all and counted, though many were added after my personal inspection, I think the following as near a correct statement as can be now obtained.

<i>1<sup>st</sup> Battalion.</i>		Capt. O Bannon	35	Capt. Ulmer	100
Capt. Schmidt	70	Capt Walker	80	Miller	30
" Butler	60		270		115
" Lancaster	90				
" Willis	45		385		245
	270	<i>2<sup>d</sup> Battalion</i>		<i>Rifle Corps</i>	
		Capt Allen	65	Capt McTyiere	65
		Miner	50	Lafitte	70
			115		135
<i>Cavalry</i>					
Capt. Johnson	70	First Batt.	385	In all organized	880
" Grahams	45	Second Do.	245	Unorganized	70
	115	Riflemen	135		
		Cavalry	115		
			880		
				Total—	950

This is as nearly as correct as any thing that can possibly be obtained. The companies below the legal number were the remains of the old beat companies who chose to volunteer as beats and I accepted them as such. In the hope that this statement, which is the best I can make, will prove sufficient for the Governor's purpose —

LIV. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 31<sup>st</sup> March 1834.

*Dear Sir.*

I have rec<sup>d</sup> your letter, but my absence from the City has prevented me from answering it. Indeed, the developments which are

<sup>1</sup> From a draft in a clerk's hand.

daily taking place, leaves our proper course so uncertain that it is difficult to decide upon it at present.<sup>1</sup> Do the Union leaders really mean to create a civil War? or what do they mean? When we see clearly what they intend to do, our course will be plain. In the mean time, I think all our proceedings should be marked with moderation and forbearance. No taunting, no abuse, and when we speak of their misdeeds let it be "more in sorrow than in anger." The case *made up* between Col. Hunt, and Lieut. McCredie, is going on here before the appeal Court. If the decision is against them (as I think it will be) I believe no doubt they will appeal to the Supreme Court at Washington and try to involve the State in a new contest with the Fedl Govl under whose wings they seem determined to take refuge. If the true object of all the excitement, is to organize and rally the Union party for the October elections, as soon as that purpose shall be indicated, our Bugle call must be sounded, and the State Rights party be rallied for the contest, and no effort omitted to secure such a triumph as shall put an end to the contest forever. Should this take place, I think some plan must be devised to prevent a struggle between Elmore<sup>2</sup> and yourself, and in the mean time, let the contest be conducted in good temper and with mutual forbearance. I saw Elmore here, and impressed the necessity of this upon him.

I have only time to add that I am  
respectfully and truly yours,

ROB. Y. HAYNE

Col. J. H. Hammond

<sup>1</sup> The legal case to which allusion is made in this letter is that of The State *ex relatione* Edward McCrady vs. B. F. Hunt, Col. 16th Regt. S. C. Militia, followed soon after by the similar case of The State *ex relatione* James M' Daniel vs. Thomas M' Meekin, Brig. Gen. 6th Brigade S. C. Militia. Both are fully reported in *The Book of Allegiance; or a Report of the Arguments of Counsel and Opinions of the Court of Appeals of South Carolina, on the Oath of Allegiance*, Columbia, 1834, and also in H. Hill. The Legislature, in December, 1833, had passed a new militia law, in which it was provided that every officer of the militia should, before entering on the duties of his office, take and subscribe an oath that he would "be faithful, and true allegiance bear, to the State of South Carolina." Edward McCrady (See No. XIV. of these papers, pp. 749-751 of Vol. VI.) was a prominent member of the Union party. On February 28, 1834, he was elected lieutenant of the Washington Light Infantry of Charleston, and applied for his commission. Col. Hunt, the commanding officer of the regiment, tendered him the oath. This he refused, and applied to Justice Bay for a rule, to show cause why a writ of mandamus should not issue, commanding Col. Hunt to deliver him his commission. Justice Bay dismissed the motion. The relator appealed. His case, and that of M' Daniel, were argued before the Court of Appeals, which rendered its decision on May 24, 1834. The two judges who belonged to the Union party, John Belton O'Neill and David Johnson, declared the section of the Militia Act relating to oaths unconstitutional and void, chiefly on the ground of inconsistency with the Federal Constitution. Judge William Harper dissented. The results were, first, violent popular dissatisfaction with the court; second, the passage of an amendment to the constitution of 1790, requiring of all officers an oath of allegiance to South Carolina; thirdly, in December, 1835, the abolition of the court. See O'Neill's *Bench and Bar of South Carolina*, I. 273, 275, 281.

<sup>2</sup> Franklin H. Elmore. Hammond was elected to Congress, and served from December, 1835, to February, 1836. He then resigned, and Elmore was elected in his place.

LV. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON 4<sup>th</sup> April 1834.

*My Dr Sir*

My friend I. W. Hayne tells me there is a Report in the Country that I have written to Gen Thompson<sup>1</sup> "that the execution of the Militia Law should be suspended till the meeting of the Legislature—as experience had proved that it was unwise" &c. I trust you know me too well to suppose I could have written such a letter. On the contrary I have given instructions to Gen. Thompson and others *to proceed regularly in the organization*, until he shall be *actually obstructed* in doing so, and then to report the nature and character of the *obstruction*, and so far from reporting that he has been obstructed his last report states that he is progressing regularly, nor have I any reason to believe that either Shelton or himself will have any difficulty in the organization, tho' I think it probable the Union officers elected will refuse to take the oath. I have enjoined on Thompson, *as on all others*, a *forbearing course*, so as to give *no excuse* to our opponents for any violent conduct on their part, and thus to deprive them of all public sympathy. This I have no doubt is our true policy. The decision of the Court will be against them, and how then can they stand up in the face of an intelligent and patriotic community and deny their duty to the Country which protects their persons and their property. Their leaders may mean to create a civil War, but if we pursue a wise, firm and prudent course and have our usual good fortune they will not be able to carry their party with them.

I am my D. Sir sincerely Yours

ROB. Y. HAYNE

Col Pickens

LVI. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

(Private)

CHARLESTON 20<sup>th</sup> May 1834

*Dear Sir*

I have just received a letter from a highly respectable Gentleman in Abbeville District inclosing the following document which he states was obtained by Mess<sup>rs</sup> Tullis and Cobb, Gentlemen in whose intelligence and veracity full reliance may be placed, from the person charged with the delivery of it to Capt Teague. My object in sending you this document is, that you may cause diligent enquiry to be made *withint* the limits of your command on the subject to which it relates and give me the result at an early day.

I am very Respectfully

Your ob<sup>t</sup> Sv<sup>t</sup>

ROB. Y. HAYNE

Col. Hammond

<sup>1</sup> Waddy Thompson, afterward Member of Congress and minister to Mexico.

[ENCLOSURE].

ABBEVILLE 17 Ap<sup>l</sup> 1834.

CAPT TEAGUE

*Dear Sir*

The committee of Five have assigned the Five Divisions of this State. this District is included in the Division assigned to Col Rob<sup>t</sup> Cunningham,<sup>1</sup> who has written to me to urge an immediate and active organization of the Regiments of this District. You will please therefore make the return for the company you command and send to me without the least delay. You and your subaltern officers constitute the company committee. I have drawn a form for your guide.

Respectfully

THO<sup>s</sup> P. SPIERIN.

N. B. Confine your report to the Union men alone.

LVII. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON 10<sup>th</sup> June 1834.*Dear Sir*

I have maturely considered the question of a call of the Legislature,—and have received the counsel of our friends from all parts of the State, and of a portion of our Members of Congress. The question is one of great delicacy and difficulty, and concerning which I find there exists much difference of opinion. On the one hand the outrage<sup>2</sup> is so monstrous, that the failure to meet it promptly and decisively, may have a depressing effect; but on the other hand there is much danger of rash action under the impulse of popular excitement. We should ask ourselves, “if the Legislature is now called what *can* they do?—what ought they to do? what will they do, or attempt to do?” They *cannot* call a Convention, amend the Constitution, impeach or remove the Judges, nor do any act which requires a vote of 2/3rds.<sup>3</sup> This I have *ascertained* beyond a reasonable doubt. If any of these things should be attempted therefore, (as would probably be the case) the attempt would fail, which might be fatal to us. The Legislature then could do nothing more than *express* opinions, and *amend the Militia Law* in conformity with the decision, unless they should remodel the Court so as to have the decision reversed. This last act would, I think, be extremely hazardous, while the amendment of the Constitution was pending before the people,—and I know it would produce a scism in the party. Yet any thing short of ~~this would be doing nothing, for it would be worse than useless to attempt~~ to legislate with a partizan Court ready to arrest your Laws. As the ~~the~~

<sup>1</sup> A prominent member of the Union party, for whom see O’Neill’s *Bench and Bar of South Carolina*, II. 395–401.

<sup>2</sup> *Viz.*, the decision of the Court of Appeals.

<sup>3</sup> Under the constitution of 1790, amendments to the constitution required a two-thirds vote of both houses in two successive legislatures.

Legislature can do nothing effectual at present, except what it would not be expedient to do, or even to attempt, I think there is nothing to be gained by an extra call, while it would be attended with some risk of dissensions among ourselves, and injury to our cause from rash measures. The delay of a few months, if we can in the mean time secure the amendment of the Constitution, will give us invincible strength. The moderation thus displayed, the decisive expression of public opinion at the polls, followed up by the adoption of the Constitutional amendment settling in South Carolina the question of Allegiance forever, will give us a moral power against which the Judges can not stand up. You may do in December with a new Legislature, what it would be fatal to attempt in July with the old one. On reading the decision I think we can get along with the Militia until the Legislature meets. The only risk in the course I have marked out is its falling short of public expectation, and thereby paralyzing the energies of the party. This must be avoided by public meetings and addresses, a revival of the Associations and all the means heretofore found so successful. Besides I cannot think that the party will be found wanting when the crowning victory is to be won. If the Governor shall be considered as having erred in not giving vent to the indignant feelings of the party, by an immediate call of the Legislature, the blame can be thrown upon him, without impairing the spirit of the party, who will know that he goes out of office in December next, and even if he were so disposed could present no further obstacles in their way. On the whole, not to dwell on minor considerations, tho' I am aware that my course will to some extent disappoint the party, and may expose my popularity and influence to hazard, yet I am fully convinced, that it is our true policy, not to have an extra session of the Legislature at this time, but to make up our final issue with our opponents at the polls in October, and to leave to a new Legislature coming fresh from the people, and supported as I trust they will be, by an amendment of the Constitution, to adopt the proper measures for a reform of the Judiciary and for establishing the Sovereignty of the State on the surest foundations; and when all this shall be done if there should be any portion of our Citizens, mad enough to raise their voices against their country, I trust we shall know how to deal with them.

I am Dear Sir with great  
respect and esteem yours truly

ROB. Y. HAYNE.

P. S. Calhoun, Preston, Hamilton, McDuffie, and most of our leading friends with whom I have consulted concur generally in these views.

R. Y. H.

Col. Pickens.

## REVIEWS OF BOOKS

*History, Prophecy and the Monuments ; or, Israel Among the Nations.* By JAMES FREDERICK MCCURDY, Ph.D., LL.D., Professor of Oriental Languages in University College, Toronto. Vol. III., completing the work. (New York: The Macmillan Co. 1901. Pp. xxi, 470.)

THE present volume follows the general lines laid down in the preceding parts of the work ; see the REVIEW for January, 1897 (II., 327). The period treated extends from B. C. 639 (the accession of Josiah, King of Judah) to B. C. 539 (the capture of Babylon by Cyrus), just one century. But this century contains a great array of important events and persons ; and the extent of the ground that the author undertakes to cover will be evident from the titles of the chapters. Book IX. ("Hebrews and Egyptians") describes the political conditions under Josiah, the Deuteronomic reform, Hebrew literature down to Deuteronomy, religion and morals during the same period, the actual working of the Josian reform, and the Egyptian dominion in Palestine ; Book X. ("Hebrews and Chaldeans") Babylon and Nebuchadnezzar, the silence of prophecy during the Deuteronomic reform, the political relations between Judah and the Chaldeans, the attitude of Jeremiah and that of Habakkuk toward the Chaldeans, Ezekiel in exile, the fall of Jerusalem, the survivors in Palestine and Egypt, and the exiles in Babylonia ; Book XI. ("Hebrews, Chaldeans and Persians") morals and religion in the exile, the literature of the exile, the Chaldean dominion, Cyrus and the Persians, Cyrus as king of Babylon, prophetic ideals (and the character of Cyrus). Professor McCurdy thus gives a survey of the whole history, political, social, literary, moral and religious ; and, as the double title of his work indicates, his plan is to illustrate the political history from the cuneiform monuments, to discover the ethical and religious history in the writings of the prophets, and to define the debt that Israel owed to its neighbors. A general view of this sort is useful, and Professor McCurdy has arranged and expounded his material with clearness and force. His narrative is illumined throughout by references to general principles ; he endeavors to keep in mind the fact that the Hebrew development proceeded according to the same laws that are recognizable in the history of other peoples. He has genuine sympathy with the great nations, Assyrians, Babylonians, Persians, who had so much to do with moulding the moral and religious as well as the social life of the Hebrews. He describes Nebuchadnezzar in his true character as a wise and humane ruler and a man of broad and earnest piety, not less virtu-

ous and devoted than the Judean Josiah and only less great than Cyrus. His portraiture of Cyrus is equally noteworthy; he puts him, along with Alexander and Caesar, in the group of the three men who determined the history of the ancient western world. It is a delicate task to fix the spheres of influence of race, environment and circumstance; but Professor McCurdy shows discrimination in his attempt to point out how the Israelite genius, while pursuing its own path, seized on and assimilated those elements of Assyrian and Babylonian culture which it found itself able to use. The problems here are numerous; what was the effect of the Assyrian domination of the seventh century (the time of King Manasseh) on the cultic and theistic ideas of the Judean masses and of their leaders? How far was the Hebrew theory of life modified by Babylonian ideas during the exile? To these and similar questions no categorical answer can be given, but they are discussed by our author with good judgment and in an excellent spirit. Among other things he gives an admirable account of the Babylonian organization of commerce. The Babylonians were the creators of business life in western Asia and of those virtues which commonly accompany this life. Up to the exile the Israelites had been agriculturalists and not traders; after the exile they developed that business capacity that has characterized them ever since. Was this change due to Babylonian influence? Doubtless this had its effect, though other factors came into play. The occupation and the condition of the exiles in Babylonia are carefully studied by Professor McCurdy; an excellent description is given of the methods of agriculture and the character of slavery in the Tigris-Euphrates valley, according to the latest discoveries. Other points treated are the figures of the two great prophets, Jeremiah and Ezekiel, and the religious and political ideals of the seer known as the Second Isaiah (Isa. xl.-lxvi. according to Professor McCurdy—more accurately xl.-lv.); the educative function of the Hebrew priesthood; the character of the so-called false prophets; the value of the judgments of the true prophets respecting individual persons who were opposed to them; the modifications in the ethical practice of the Hebrews induced by the changes in their social and political fortunes.

With so wide a range of investigation a full treatment of particular topics is impossible; the value of Professor McCurdy's work lies precisely in the fact that it gives a total view of the history. His statements are doubtless based on wider research, particularly in certain points; but some of his positions appear to me not to be in accordance with known facts. Omitting minor details I would call attention to certain doubtful or undesirable statements, with the hope that these may be modified in a future edition of this excellent work. In a number of cases there is a disposition to decide a point on insufficient evidence (a *non liquet* is often hard for historians); an example is found on page 403 where, after mentioning a couple of explanations respecting Astyages the Mede, the author adds: "Until fuller light is given we should decide for the former alternative." Would it not be better to decline to decide? The chrono-



logical table at the end of the book begins too boldly with the date B. C. 7000; the details of the period 7000-4000 are given as if they were history instead of general inference, and the date 3800 for Sargon I. cannot be said to be of the nature of historical verity. Similarly the assumed conquest of Elam by Persia or Persis about B. C. 595 (p. 239) is not yet known to be a fact. The statement (p. 428) that Cyrus was a Zoroastrian is open to grave doubts. The history of Zoroastrianism in the sixth century B. C. is involved in obscurity, but the one thing clear from the cuneiform inscriptions relating to Cyrus is that he was frankly a polytheist, attaching himself as heartily to the Babylonian Marduk as he apparently did to the Hebrew Yahweh. Professor McCurdy's whole account of the Mazdean religion (p. 397) is lacking in perspective and needs restating. Turning to the Old Testament it may be said that a wide consensus of critics now places the book of Job not in the exile (p. 380), but a century or two later—a date that is important for the history of Hebrew thought. A similar remark must be made respecting the date of the "Servant of Yahweh" poems (especially Isa. liii.), which do not easily fit into the exilic period. An excellent general account of the history of the Sabbath is given on page 376, but it should begin with the statement that the day was probably originally a taboo day, gradually developed by Babylonians and Hebrews into a pivotal institution. It is hardly correct to say (p. 103) that the Southern Kingdom was religiously superior to the Northern—rather is the contrary the fact; the religious significance of Judah begins about the time that Samaria fell.

C. H. TOY.

*Greek Thinkers. A History of Ancient Philosophy.* By THEODOR GOMPERZ, Professor at the University of Vienna, and member of the Imperial Academy. Authorized Edition. Translated by LAURIE MAGNUS, M.A., Magdalen College, Oxford. (New York: Charles Scribner's Sons. 1901. Pp. viii, 410.)

THOSE who follow the literature of philosophy in Germany have for several years been familiar with the first volume of Professor Gomperz's *Griechische Denker*, a good translation of which is here offered to English readers. The work is not limited to the traditional lines of the history of philosophy, but aims to present a more general and complete picture of the "mind of antiquity" than can be offered in a severely technical account of Greek philosophy. It therefore makes appeal to that wider circle of readers who desire to understand the significance of philosophical thought for the culture and civilization of a people. This purpose is also served by the marked literary quality of the author's style and the relegation of the numerous references and notes to the end of the volume. The treatment is everywhere full of life, and not infrequently sparkles with brilliant statements and *aperçus*.

The work is not altogether without the defects of its qualities. In the endeavor to render the picture of every thinker concrete and life-

like, Professor Gomperz sometimes writes in a way which might easily mislead the non-professional reader. As an illustration may be cited his account of Pythagoras. He has indeed warned us that "it is hard to rescue the prototype from the flood of tradition which increases in volume the further it is removed from the source." But he proceeds to speak of the elements of "Pythagorism" as "compressed by the force of one great genius into the limits of a system," and to represent Pythagoras as himself performing the experiment with the monochord. We are hardly warranted, I think, in regarding all the elements of "Pythagorism" as known to Pythagoras, or in affirming that he ever performed a single scientific experiment.

How far the work transcends the limits of the usual treatment of Greek philosophy may be seen from the fact that two chapters are devoted to the historians and one to the physicians of Greece. It is this wide outlook over religion, literature, and the special sciences, which perhaps constitutes its chief claim to the attention of the student or teacher of philosophy as well as to that of the general reader. It is a good example of the way in which philosophy may be rescued from mere *graue Theorie*.

Space forbids an adequate criticism of the work in detail. One of the most noteworthy departures from the commonly accepted view is his treatment of the *homo-mensura* tenet of Protagoras. Professor Gomperz rejects altogether the current interpretation of individual subjectivism. According to his view of the meaning of Protagoras, man in the generic, not in the particular, meaning of the term is the measure of all things. Protagoras was, he admits, a staunch defender of sense perception, and a relativist in that he recognized that all cognition is limited by the nature of man's powers. Accepting Plato's account in the *Protagoras* as giving the substantive features of the great sophist's teaching, he considers the references to him in the *Theaetetus* to be the result of a frank historical "fiction" on the part of Plato—a fiction, moreover, of which Plato has not failed to give the reader numerous hints. The interpretation of the teachings of Gorgias also raises numerous questions. Is it so certain that Gorgias possessed any serious metaphysical interest? May not his famous theses have been propounded as a brilliant illustration of his ready mastery of the subtleties of dialectic? It may be added that the author's view of the sophists is favorable, approximating to that of Grote.

The remaining volumes—two in number—will be awaited with much interest.

WALTER GOODNOW EVERETT.

*A History of Rome for High Schools and Academies.* By GEORGE WILLIS BOTSFORD, PH.D. (New York: The Macmillan Co. 1901. Pp. xiv, 396.)

In its scope, this work embraces somewhat more than is ordinarily comprised in school text-books of Roman history. It not merely covers the record of events down to the dismemberment and fall of the Western

Empire, but includes also an account of the succeeding Germanic kingdoms of southern and central Europe that form the connecting link between Rome and modern civilization. The author's purpose, as he tells his readers, has been not only to present a sketch of Rome's rise, expansion, and organization, but also of "the transformation of the ancient pagan empire of Rome into the medieval Christian empire of the Germans. The narrative, accordingly, extends from the earliest times to Charlemagne."

For the execution of the task he has set himself, Dr. Botsford has an unusually good equipment. With the thorough training of the classical philologist he combines sound historic sense and excellent historic method. Moreover, he is master of a clear, accurate and attractive prose style. This equipment he has utilized to the full in conscientious fashion. Almost every page of the book gives evidence of careful study of the discussions and views of other historical writers, as well as familiarity with the sources on which our knowledge of Roman antiquity ultimately rests. Frequent quotations from these sources, such as Livy, Polybius, Appian, Plutarch, the *Monumentum Ancyranum* are skilfully interwoven in the narrative.

The assured results of the various tributary disciplines of philology, epigraphy, archæology, mythology, etc., are naturally familiar to Dr. Botsford and are amply recognized. Thus the Aryan home is no longer put in central Asia, as by many recent writers, but in eastern Europe, where the researches of comparative philologists have located it with great probability. A gratifying independence of authority, also, is to be noted. As a result of researches which warrant the expression of his own opinion, Dr. Botsford rejects the theory, so tenaciously held by Mommsen, that the *concilium plebis* was essentially different from the *comitia tributa*. Similarly in his judgment of Tiberius and Domitian he ascribes to these emperors elements of character and administrative capacity which, though doubtless just, are not generally conceded.

The book, as a whole, can hardly fail to prove a helpful and even inspiring manual of instruction, alike to pupil and teacher. Its author not only has grasped the heart of Roman life and institutions, but he also sees the relation of Roman to other civilizations—its setting in the history of the world as a whole.

Admirable illustrations, maps, full bibliographies, and chronological tables accompany the volume, while the typography and press-work give evidence that the "printer's art" still has a clear title to this appellation.

CHARLES E. BENNETT.

*The Story of Rome.* By NORWOOD YOUNG. Illustrated by NELLY ERICHSEN. (London: J. M. Dent and Co. 1901. Pp. 403.)

THIS neat little volume, containing the story of Rome, adds one more to the long list of books which have recently appeared on the subject. Yet its author has not performed a superfluous task. He gives a brief

sketch of some of the most important ancient remains including recent discoveries of interest and he describes some of the buildings of medieval Rome. An appendix contains some practical suggestions to the traveller, such as an itinerary, a list of books, and objects of interest to be seen in the churches. The main purpose of the book is to give the historical setting so necessary to make intelligible the many objects of interest in the eternal city. Though the scope and purpose of the book is so large, yet the task has on the whole been well performed. The volume is comparatively small, but the impression left upon the mind is not so vague as that produced by the more elaborate work of Mr. Crawford, *Ave Roma Immortalis*.

While we fully recognize the attractiveness and usefulness of the book, we sometimes miss the accuracy of statement and the impartiality of the trained historian. The history of the church of Rome is here told by one who appears rather as a bitter opponent than as a calm historian able to appreciate one of the greatest products of human genius. His antagonism to the Roman church shapes and colors his general historical views. He does not regard the middle age as ended and the modern period as fully ushered in till the Pope was deprived of his temporal power in 1870 (p. 187). The long exploded error that the eloquence of Peter the Hermit was largely instrumental in bringing about the First Crusade is here repeated (p. 203), and too, the theory that this world was expected to come to an end in the year 1000 is stated as an undoubted fact although it was conclusively disproved by the Benedictine François Plaine so long ago as 1873. (*Revue des Questions Historiques*, XXIII. Paris.)

This volume which is one of a series of "Mediæval Towns," is most attractive in its outward form and appearance and is an excellent illustration of the modern book-maker's art. Its pleasing effect is enhanced by the numerous illustrations of genuine artistic merit. We are glad to see woodcuts of admirable workmanship taking the place of the comparatively harsh photogravure. Though the latter may reproduce its original with greater exactness of detail, yet the woodcut as here executed brings more vividly before us the poetic atmosphere of medieval Rome.

ALBERT GRANGER HARKNESS.

*The Classical Heritage of the Middle Ages.* By HENRY OSBORN TAYLOR. (New York: The Columbia University Press; The Macmillan Company. 1901. Pp. xv, 400.)

It is now five years since there came from the press Mr. Taylor's two-volume work on *Ancient Ideals*. It was, in its own words, "a study of intellectual and spiritual growth from early times to the establishment of Christianity," and professed itself "an attempt to treat human development from the standpoint of the ideals of the different races, as these ideals disclose themselves in the art and literature, in the philosophy and religion, and in the conduct and political fortunes of each race." To this learned and thoughtful, if somewhat ambitious, work the present

volume—appearing as the fourth of the “Columbia University Studies in Literature”—is clearly a sequel. Its subject, better stated in preface than in title, is “the transition from the Classical to the Mediæval,” and its aim “to follow the changes undergone by classic thought, letters and art, on their way to form part of the intellectual development of the Middle Ages, and to show how pagan tastes and ideals gave place to the ideals of Christianity and to Christian sentiments.” The period chiefly dealt with is that from the fourth to the seventh century, and the discussion confines itself mainly to the west of Europe.

The plan of the book is direct and simple. A short introduction makes clear its order of treatment and well summarizes its conclusions. Successive chapters deal with “the passing of the antique man,” with such phases of pagan decadence as the decline of literary art and taste, and with those elements of the antique culture which through education and law passed intact to the younger civilization. Then, handling with comparative brevity those pagan ideals of conduct and worship, of knowledge, beauty and love, which were Christianized in their transmission to the Middle Ages, the author devotes the larger half of his volume to those newer forms of culture which he counts essentially Christian—to monasticism, the new Christian system of life, to Christian prose, to Christian poetry, and to Christian art.

Few themes have proved of such perennial interest to us moderns as this of the Christianization of culture; and none, surely, has more clearly mirrored the prepossessions of its historians. To the rational eighteenth-century Gibbon pictured it as “the triumph of barbarism and religion.” The Reaction glorified it in the rhapsodies of Chateaubriand and the Catholic romanticism of Montalembert and Ozanam. Reviving rationalism and a broader religious sympathy painted once more its darker side in the brilliant pages of Mr. Lecky and the relentless ones of Heinrich von Eicken, or by the seductive pen of a Renan, a Hatch, a Gaston Boissier, made more clear the debt to the older civilizations. Romantic anti-paganism has found in Godefroid Kurth a modern champion as learned and hardly less eloquent. And meanwhile a host of more special students, delving in the antiquities of society, of education, of literature, of art—a Friedländer, an Ebert, a De Rossi, and their younger fellows—have been bringing to light ever fresh sources of knowledge or more learnedly and impartially sifting the old.

In this literature of the newer scholarship Mr. Taylor has read widely and well; and there is much to show that he has not been content to take its testimony merely at second hand. His conclusions have an air of conviction and much flavor of personal independence; and his point of view is clearly his own. The transition from the Ancient World to the Middle Ages, he tells us, “was a process of spiritual change, during which antique characteristics gradually ceased and were replaced by much that was incipiently mediæval. . . . Self-control, measure, limit, proportion, clarity, and definiteness were principles of the antique; the Christian spirit broke through them all. Its profound spirituality, often

turning to mysticism, had not the clarity of classic limitation. It did not recognize limit. Its reach was infinite, and therefore its expressions were often affected with indefiniteness. Classic self-control meant measure, nothing in excess. Christian self-control soon came to mean the exclusion of a part of life; of what it condemned it could not have too little, of what it approved it could not have enough. . . . The art and literature of the transition centuries present a conflict . . . between the new spirit of Christianity, with its inspirations, its infinite reaches and its requirements of expression, and the antique culture, its tastes and aversions, and its definite literary and artistic rules and forms. . . . The spiritual liberation distinguishing the transition through which the antique ceased and the mediæval began was a liberation from the inherent limits of self-reliance, and consequently from the limitations of that freedom which is established in human strength and the rational balancing of mortal considerations. It was a liberation resting upon the power of God. The human spirit, responding to the new Christ-awakened sense of the infinite and awful power of God's love, became conscious of the measureless reaches of the soul created for eternal life by an infinite and eternally loving God. The soul was lifted out of its finitude to the infinite which is its nature and its home." Such (somewhat garbled, I admit, in this attempt to abridge it) is the central thought which the book seeks to demonstrate and illustrate. By it the author explains not only the advent of mysticism and of dogma, the spiritualizing of beauty and of love, the rise of the monastic life, but the dissolution of Latin prose, the triumph of accent and rhyme in verse, the evolution of Gothic architecture, the birth of realism in sculpture and in painting. Such a point of view makes Mr. Taylor's study of medieval life and art singularly sympathetic and often illuminating; but it may be doubted whether it is uninfluenced by preconceptions, and whether to minds less vigorously Christian or more rigorously scientific it may not stamp his book as belonging rather to the literature of speculation than to that of research.

Mr. Taylor's style has been abundantly illustrated. It seldom sinks to clumsiness and not infrequently rises to eloquence. The legal training which stands him in such happy stead in his treatment of the Roman law betrays itself less pleasingly in certain turns of phrase, as in his pronominal use of "the same." His matter is, in the main, well thought through, though here and there, as in the long chapters on literature, there is a slight suggestion of weariness. Petty slips are rare. Ekkehard should not be made "abbot" of St. Gall, nor "Carmina Burana" a name for Goliardic songs in general instead of the title of a single collection. More vexatious are the errors of the printer, which especially disfigure the useful bibliographical appendix. It is in these and in the over-inking which blurs sundry pages that the book is least worthy of a university press.

GEORGE LINCOLN BURR.

*Annals of Politics and Culture* (1492-1899). By G. P. GOOCH, M.A.  
With an Introductory Note by LORD ACTON. (Cambridge: University Press. 1901. Pp. 530.)

THIS work is a compilation of historical facts, belonging to that type of reference-book of which Ploetz's *Epitome of Universal History*, Heilprin's *Historical Reference Book*, and Hassall's *European History* are good specimens. The selection before us is chronologically arranged; the left-hand pages contain salient matters of "politics," classified by countries; the right-hand pages are devoted to "culture," and the facts are assigned to such headings as Science, Philosophy, French Literature, English Church, Economics, Education, etc. One appendix is given to bibliography, another to tables of monarchs and rulers, and there is a full index. The industry of the compiler is shown in the vast number of statements, which in the main refer to the important phenomena in the respective countries and topics. Not infrequently in introducing a certain name he has offered a summarized account of its later history; such useful summaries appear under the heads, Ivan III., Drake, Akbar, Abbas, Sully, Siberia, and similar names.

The value of such a reference-book obviously depends on its accuracy and sense of proportion. In neither respect is this work above criticism. The author has prefixed a list of errata, a list capable of expansion. For Sterben (p. 262) read Steuben. Eugène (p. 320) should be Eugène. Gen. McLellan and President Mackinley are unfamiliar to Americans. There are more essential inaccuracies, particularly in United States affairs. John Smith can hardly be described as making the settlement at Jamestown. The Ordinance of 1787 did not "create" five states. Tippecanoe was fought in 1811, not in 1810. Missouri was admitted in 1821, not in 1820. Gold was discovered in California in 1848, not in 1847. Texas seceded February 1, 1861, not in January. Chancellorsville was in May, not April, 1863. Not Sheridan but Rosecrans commanded at Stone River (p. 406). Lincoln did not abolish slavery. Silver was demonetized in 1873, not in 1871. The Tweed Ring are wrongly described as the "governors of New York." The *Century Dictionary* was published in 1889-1891. In reference to the Presidents the compiler is rather unfortunate. Jefferson was elected in 1801, not in 1800. Van Buren was not chosen Secretary of State in 1828. The election of Hayes was not decided until 1877. Cleveland became president for the second time in 1893, not in 1892. On pages 458 and 460 the part of Congress in legislation is ignored. There are noticeable omissions in the war of 1812.

Nor does Europe altogether escape. The last Yorkist was executed not in 1499, but in 1541. Wolsey became legate in 1518, not in 1517 (p. 18). In 1557 at St. Quentin the Spaniards were victorious, not defeated. Not Joseph but Archduke John was beaten at Hohenlinden in 1800. Napoleon III. did not declare war July 17, 1870; his council decided on war in the night of July 14, and war was declared against



Prussia July 19. An egregious blunder is made farther on, p. 420; Bazaine capitulated October 27, not September 23, and the number of prisoners is understated.

The literary selections display a startling appearance towards the close. Apparently the principal work in English literature for several years was *King Solomon's Mines*. In American literature since the Civil War the actual list is as follows: Artemus Ward, Hay's poems, James's *Americans*, Howells's *Modern Instance*, Mark Twain's *Tramp Abroad*, Sheldon's *In His Steps*, and *Mr. Dooley*. It is to be feared that the sense of insecurity induced by these and similar vagaries of omission, selection, and accuracy, may outweigh even Lord Acton's commendatory note of introduction.

EDMUND K. ALDEN.

*Saint Louis*. By FREDERICK PERRY, M.A., Fellow of All Souls' College, Oxford. [Heroes of the Nations Series.] (New York: G. P. Putnam's Sons. 1901. Pp. viii, 303.)

THE reign of Louis IX. is of particular interest because of the coincident territorial growth and institutional development of France. But unless the proportions of the reign are exaggerated and the personality of the king endowed with a halo, which the sober-suited historian is not necessitated to observe, the reign offers few points of interest for the popular reader. St. Louis did not have the qualities that are considered typical of a hero. In view of the limitation of his subject, Mr. Perry has done well. He has written an accurate, though somewhat arid account of the reign of the King, and has carefully refrained from introducing any controversial element, even with the opportunities afforded by the Albigensian Crusade and Charles of Anjou. The judgment which probably will be challenged most is that Henry II. ever hoped "to overwhelm and swallow up his brother at Paris." Stubbs disavows such intention on his part. It is unfortunate, though perhaps it is necessary considering the "heroic" character of the series, that so much space (101 pp.) had to be devoted to Louis's crusades. It is a pity, too, that the young reader will not be able to carry away with him a more definite idea of the nature of the feudal régime. The stock anecdotes are reported, of course, as that of Enguerrand de Coucy. But a careful study of Beugnot's *Essai sur les Institutions de St. Louis*, if no other similar work, would have done much to have enlivened the pages. Mr. Perry is aware of the omission for he says: "It would not be within the scope of the present work to examine at length, or with an exact inquiry into details, the constitution of government in France during this period, its nature, changes, and development; to trace the steps by which royal authority was increased; to follow the growth of the King's courts, the spread of the King's justice, and the extension of his administrative powers." In view of Langlois's pronounced success in this very particular, however, in his *Saint Louis* (Bibliothèque des Écoles et des



Familles), the omission hardly seems to be justified. There is a slip of the pen on p. 68 where Brittany is referred to as a duchy although its ruler is correctly styled count. There are typographical errors in lines 4 and 17 on page v. The map would be better if the royal domain were distinguished from vassal territory; and it is impossible to study the geography of the Albigensian crusade. Beziers, Albi and Nismes are not indicated.

JAMES WESTFALL THOMPSON.

*Oliver Cromwell and the Rule of the Puritans in England.* By CHARLES FIRTH, M.A., Balliol College, Oxford. [Heroes of the Nations.] (New York and London: G. P. Putnam's Sons. 1900. Pp. xiii, 496.)

So many successful and even brilliant lives of Cromwell have been written of late years that Carlyle, could he revisit us, would cheerfully withdraw his tirade against Dryasdust, whose labors in this field only served to obscure his hero with "circumambient inanity and insanity." Among the best of these successful lives is the present volume by Mr. Firth. It is not only attractively written, but it is the product of rare scholarship and full knowledge. It is based in part on the author's extended article contributed in 1888 to the *Dictionary of National Biography*. Approximately the first half of the book follows that article closely, a testimonial to the solidity of the earlier work, but the author has expanded it and provided his subject with a proper background by weaving into his narrative a concise history of the period. This is a very great improvement, since Cromwell is one of those characters whose life is an epitome of the history of his time and cannot be understood apart from it. In the latter part of the book, the author breaks away from his article and treats his subject still more broadly. Mr. Firth has given proof in his published writings of a knowledge of various parts of this period which is little less than microscopic. It is a pleasure to observe that such knowledge is not incompatible with breadth of view. His generalizations are so concise, so accurate and so luminous that the book offers, as its title indicates, an adequate brief history of the period. Indeed, those who insist upon the very latest results of historical investigation will prefer it to any other. The chapters on Ireland and Cromwell's Parliaments are the best short accounts that we have of these subjects. The subsequent appearance of Mr. Gardiner's new volume gives us an opportunity to test parts of them by a very severe standard. They stand the test admirably. There is a chapter on Presbyterian and Independent and another on Cromwell's Colonial Policy which will be welcomed by teachers of American history for the use of their students. There are numerous illustrations and maps, two of which, the battle plans of Marston Moor and Dunbar, differ materially from those hitherto accepted. They are the results of investigations which Mr. Firth has described elsewhere.

The book has, however, one defect from the standpoint of the historical student. It is one of a popular series of biographies, and the plan of the series forbids the use of footnotes and references. Abundant references are given in Mr. Firth's article in the *Dictionary of National Biography* and the two may be used to supplement each other, though at the cost of some convenience. The publishers would have done better to have allowed Mr. Firth more latitude, for this is not an ordinary popular volume. It is a model of what a brief biography should be, and it fills a gap in serious historical literature. The biographies by Mr. Frederic Harrison and Mr. Morley are brilliant and suggestive, but not authoritative, while the elaborately illustrated one by Mr. Gardiner is far too expensive for general use. Mr. Gardiner suggests that we shall have the standard life of Cromwell when Mr. Firth undertakes to write one of two or three times the length of the present volume, unhampered by the restrictions of a popular series. It is to be hoped that a word from such an eminent source will not pass unheeded. In the meantime, the present volume will be generally accepted as the standard one of moderate cost and compass.

GUERNSEY JONES.

*History of the Commonwealth and Protectorate, 1649-1660.* By SAMUEL RAWSON GARDINER, M.A. Vol. III., 1654-1656. (London, New York and Bombay: Longmans, Green and Co. 1901. Pp. xix, 513.)

THE latest volume of this monumental work covers the years 1654-1656. Mr. Gardiner considers this the most important period for the proper understanding of the Protectorate. "The story of these two years," he says, "reveals to us the real character of the Protectorate, as no other part of its history can do. Up to the meeting of Parliament in 1654, all was expectation and conjecture. After the meeting of Parliament in 1656, affairs, no doubt, developed themselves in various directions, but the lines of their development were already laid down in the course of the period under survey in the present volume." A glance at the contents will show this to be true, for the narrative reaches the most important point of the four very important topics, Cromwell's relations with his Parliaments, his domestic policy, his treatment of Ireland and his relations with foreign states.

Mr. Gardiner has said in another connection that the Parliament of 1654 is the important one for the correct understanding of Cromwell's parliamentary difficulties. If his attitude in this case is grasped clearly our perplexity in the case of the succeeding Parliaments will disappear. We have all been disturbed by the incongruity of regarding Cromwell as a champion of liberty, which we are prone to identify with parliamentary rule, when he disposed of Parliaments in a more summary manner than Charles I. ever dared to do, and was confronted with the same arguments that were used against Wentworth, applied with little

change and almost equal force. Probably few members of the Parliament that recently voted the statue of Cromwell which stands under the shadow of Westminster Hall could justify their vote on constitutional grounds. Indeed, it is doubtful if anyone perfectly understood Cromwell's attitude toward parliamentary rule before the appearance of the present volume. Mr. Gardiner's solution of the puzzle is as clear as could be desired, and is likely to prove final.

Cromwell was no doctrinaire parliamentarian who believed that the majority has the inalienable right to its opinions, however erroneous. To him "the very end of Magistracie" was "the suppressing of vice and the encouragement of vertue," and if the nation was in the wrong it should be coerced for its own good. He cared more for the ideals of Puritanism than for any constitutional question whatever. Yet he was practical enough and parliamentary enough to see that the success of the Puritan cause depended upon its speedy establishment upon a parliamentary basis, and he spared no pains to bring this about. It appears that in 1654 he was not struggling against parliamentary rule as we understand it, but merely against the unrestricted rule of one House. His experience with the Rump Parliament and the Nominated Parliament was decisive and needed no repetition. He was afraid, with reason, that the Parliament, "unchecked by constitutional restrictions or by fear of the constituencies," would first make itself permanent and then endanger the best interests of Puritanism. To prevent this, he insisted upon the acceptance of four "fundamentals," which testify to his insight as well as to his moderation; for "his four fundamentals have been accepted by the nation, and are at this day as firmly rooted in its conscience as Parliamentary supremacy itself." According to this view, there is nothing incongruous in the position of Cromwell's statue. He was merely "insisting on conditions without which Parliamentary government is a vain show." Mr. Gardiner makes it clear that the dispute was not one which could be avoided by tactful management, as Green and others have asserted. It was not a dispute over the abstract question as to whether the Parliament might revise the Instrument of Government, for the Protector had expressly invited a vote upon it. The essential point at issue was the control of the army. Upon this point there could be no compromise. It was easy to insist, as Cromwell did, that the control should be divided between Protector and Parliament, but it was difficult if not impossible to devise a practical scheme for the division. It would be found in the end that either the Protector or the Parliament had usurped the control. At the present time, such a division is possible because there is an appeal in the last resort to the nation. At that time, an appeal was not possible, for "the nation or even the intellectually active part of it had not been educated in political thought. There were hundreds who could discourse on the true Constitution of the Church, and who could expansively utter their opinions on the craggiest points of divinity, for one who could say anything worth listening to on the Constitution of the State." This, in Mr. Gardiner's opinion, was

the kernel of the parliamentary difficulty, though Cromwell little realized it. It was a difficulty which only time could remedy.

The disagreement with Parliament and the royalist uprisings drove Cromwell to acts as illegal as Charles I. was ever guilty of. The two cases are strikingly similar, but they differed essentially in the character of the rule which each tried to impose upon the nation. Cromwell's efforts had the praiseworthy but fatal defect of being far in advance of what the English people were willing to accept, and his efforts in answer to Milton's exhortations to lead the three nations "from bad habits to a better economy and discipline of life than they had hitherto known" is the subject of three admirable chapters, *The Major-Generals*, *The Limits of Toleration* and *The Moral Order*. Religious toleration was practically complete except in the case of those religious bodies which were politically dangerous, and even these had less to complain of than might be expected. Roman Catholics were treated in a far more liberal manner than one would think possible by the author of the furious letter to the Irish clergy. "If his views on toleration did not quite reach the standard of the nineteenth century," says Mr. Gardiner, "they were in advance of all but the choicest spirits of the day in which he lived," and "his practice time after time outran his profession." Had Cromwell's life been prolonged, he might possibly have won the nation over to his views sufficiently to change the subsequent religious history of England, but in attempting to force upon it the Puritan standard of morals through the major-generals, he was clearly overstepping the limits of his power. Mr. Gardiner finds indications, too slight to be styled evidence, that this additional task was imposed upon the major-generals through the influence of Cromwell himself. However this may be, the mistake was fatal, for it brought home for the first time to large classes in the population the preponderance of the military force in the state. It was the dislike of military rule, so greatly augmented by these measures, which finally wrecked the Protectorate. These three chapters are of absorbing interest and must be read to be appreciated. They touch upon too many points of the highest importance to be presented in summary.

The chapter on the Cromwellian Settlement of Ireland will be welcomed by those who feel that the importance of the Drogheda incident has been overestimated. Nations are not permanently estranged by a military massacre, and the English attitude towards the Irish is more clearly shown in the persistently followed policy of colonization and conversion than in a hasty command given "in the heat of action." Those who want to understand the Irish question will get more insight from Mr. Gardiner's chapter than from any number of acrimonious discussions of Drogheda. Mr. Gardiner retains the phrase "Cromwellian Settlement," though it was Cromwell's only in execution, not in conception, being planned long before by the Long Parliament. It was his conquest which made its execution possible and he took the liveliest personal interest in the matter, yet he was surprisingly ignorant of the Irish situation. The impression of Turkish ferocity which one gets on reading his decrees is

modified by the fact that neither he nor his subordinates in Dublin had a clear idea of their effect if carried into execution, while Cromwell himself was foremost in mitigating them when their cruelty and impracticability became evident. This is the most that can be said for him. It goes without saying that Mr. Gardiner gives the story exactly as it is, with no trace of partisanship and no attempt to gloss over the pitiful details.

I suspect that the present popularity of Cromwell in England is due at least in part to the vigor of his foreign policy rather than to his religious or constitutional efforts. No doubt this played its part in securing the statue at Westminster. From the time of the Restoration, when Englishmen muttered that the Dutch had not sailed up the Medway in Oliver's day, until the present time, this has been looked upon as a brilliant period in England's foreign relations, all the more brilliant for coming between two periods of shameful inactivity. Mr. Gardiner does not share this unbounded admiration and rightly refuses to judge the success of a foreign policy merely by the amount of terror inspired in one's neighbors. He shows how Cromwell's policy was defective in aim and incomplete in results. So far as we know, Cromwell was never out of England, and he was profoundly ignorant of continental affairs. He was completely under the spell of the absurd idea that the Catholic powers were combining to crush Protestantism and he was anxious to form a counter Protestant league. This formed the ideal side of his policy, "nobly conceived, but too complex to be carried out in successful action." Had he been better informed, he would have seen the impossibility of the union of France and Spain on the one side, and of Holland and Sweden on the other. The facts were so completely against him that the whole plan came to nothing, and the aspirations which he cherished to the end were never translated into action. Nor were his efforts to relieve persecuted Protestants in Catholic countries attended with the success he desired. He was able to turn a delicate diplomatic situation to account in the case of the Vaudois ; but in other cases he was powerless, for the statesmen of Europe had accepted without reserve the principle that each prince had absolute power of his subjects in matters of religion, and they considered local persecution more tolerable than a renewal of the religious wars. Mr. Gardiner even goes further and asserts in a remarkable passage, the closing one in the volume, that in claiming the right of interference in favor of the Huguenots in France Cromwell was adopting "the very policy to provoke such a youth as Louis," and was sowing "the seeds which were ultimately to come to an evil fruitage in the Revocation of the Edict of Nantes."

The religious side of Cromwell's foreign policy is the subject of a chapter, *The Protestant Interest*, which is a little masterpiece. We have all admired the manner in which Ranke holds in hand the complicated threads of a diplomatic situation. While he has treated more complicated periods, it is doubtful if he has done anything finer in its way than Mr. Gardiner's short description of Baltic affairs. It has the simplicity which is the mark of true greatness. Possibly it cost him

less labor than other parts of the volume, but any one who has groped blindly through the sources of the period will be deeply impressed by the historical training necessary to seize so unerringly upon the salient points and to bring such admirable order out of chaos.

Mr. Gardiner's work as a whole has been so long before the public that a reviewer cannot be expected to dwell upon it. Its importance is not confined to the fact that he has completely rewritten the history of the period. Its effects are so far-reaching as permanently to raise the standard of historical writing among English-speaking peoples. There is no work which, both from the point of view of matter and manner, is more worth the constant perusal of American students. In a narrow sense, the period it covers is the period of American origins—in a broad sense all history is the history of American origins—while its method is so admirable that no one who has read widely in it is likely to go far astray. It is noticeable that Mr. Gardiner gets his wonderful results in the present volume not so much by the discovery of new sources of information as by the complete knowledge and careful use of what was already known. There are a number of accessions of new material, such as the third volume of the *Clarke Papers*, and Mr. Gardiner makes much of the reports of foreign ambassadors, but his narrative is often based upon papers perfectly familiar to his predecessors. This merely illustrates the fact, common to all sciences, that the best work can be done with materials already commonly known.

GUERNSEY JONES.

*The Clarke Papers.* Edited for the Royal Historical Society by C. H. FIRTH, M.A. Vol. III. (London, New York and Bombay: Longmans, Green and Co. 1899. Pp. xxviii, 217.)

THE Clarke Manuscripts, as every one knows, are the most important recent accession of new material for the Cromwell period. We are indebted to Mr. Firth, not only for this admirable edition, but also for their discovery in the Library of Worcester College, Oxford. The present volume is made up largely of official news-letters sent from the headquarters of the army at Westminster to the headquarters of the army in Scotland. They cover the period from April 1653 to April 1659. Selections from the remainder of those written in 1659 are to form part of the fourth and concluding volume of the series. Two or three news-letters were sent every week, forming a complete chronicle of events from a military point of view. In general, they offer little that is new of supreme importance, for the writers suffered more or less from "military lock-jaw," but they contain a multitude of new and interesting details bearing upon all sorts of subjects, and form a new source of information which it is a delight to read and which no investigator can afford to neglect. Not the least interesting part of their contents is their version of well-known events, such as the expulsion of the Long Parliament, showing clearly the desire of the military party to minimize the

amount of force employed. The letters are too bulky to be printed in full, especially as many of the items are to be found in the newspapers. The present volume is therefore made up of selections and the work of editing has demanded an accurate and complete knowledge of the literature of the period, which no one possesses to a more eminent degree than the present editor.

Mr. Firth has greatly facilitated the examination of the volume by an admirable extended preface. There is much upon the various Parliaments, the proffer of kingship, the West Indian expedition and the campaign in Flanders. There are few notices concerning Scotland, these having been selected and printed for the Scottish History Society by the same editor. There is comparatively little on foreign or colonial affairs, with the exception of the two campaigns just mentioned, or on religious matters. Of special interest are seven speeches by Cromwell. Two very short ones are not in Carlyle, one being "the substance of his Highnesse answer" from the Clarendon Manuscripts. Four differ so little from Carlyle's version that the variations only are given, while one (speech XVIII in Carlyle) differs sufficiently to warrant its being printed in full. The appendix contains three papers of importance from other sources than the Clarke Manuscripts. The first is a memorial on foreign affairs presented to the Protector by Colonel Sexby on his return from the south of France, advocating an alliance with Spain. The second is the most important paper in the whole volume, being notes of debates on the West Indian expedition in two meetings of the Council. It not only shows clearly the motives of the expedition, but gives us a glimpse into the inner workings of the Council. The third and final paper is a curious letter by Nehemiah Bourne from the Massachusetts State Archives, giving interesting facts about the fall of Richard.

GUERNSEY JONES.

*The Man in the Iron Mask.* By TIGHE HOPKINS. (New York Charles Scribner's Sons. 1901. Pp. xvi, 368.)

MR. HOPKINS has made no new investigations as to the mystery of the of the Man in the Iron Mask, but he has given the results of the work done by the latest and best French authorities. He has given it also in a clear and agreeable form, and those interested in this historical problem, and they are many, will read this book with pleasure, and will have the satisfaction of feeling that, in all probability, the riddle is satisfactorily solved.

As is the case with many other mysteries, when the truth is discovered the matter is found not to be very important. The Man in the Iron Mask owes his fame, not so much to his own importance, or even to the nature of the punishment he suffered, as to the fact that Voltaire brought his case before the public, and suggested solutions of the problem with the ingenuity and literary skill that made any subject interesting. And here was a theme peculiarly fitted to excite popular interest. An extra-

ordinary punishment must have owed its origin either to an extraordinary crime, or to a mystery that would be dangerous to the state if it became known. The Man in the Iron Mask aroused an interest accorded to few historical characters. Hundreds of books, and thousands of pamphlets and essays have dealt with this alluring theme.

Mr. Hopkins reviews the most noteworthy efforts that have been made to identify the captive. Doubtless Voltaire's famous suggestion that a brother of Louis XIV. had been kept concealed from the knowledge of the world has been the most pleasing to the public. Among the many theories advanced, this had the least foundation, and found the most believers. The Duke of Beaufort, the Duke of Monmouth, Fouquet and Vermandois, were at least real personages, even though there was no evidence to show that any of them could have been the mysterious prisoner. Voltaire's theory lacked even that basis; there was no illegitimate brother of Louis XIV., whose existence anyone needed to conceal, and the incidents by which the great writer lent verisimilitude to his hypothesis existed for the most part only in his imagination.

In the light of all the evidence, the famous entry in the minutes of the Bastille, made when the prisoner was received there in 1698, which spoke of a man who was always masked and whose name was never mentioned, was probably inaccurate. From this entry the tradition of the Man with the Iron Mask has taken its rise. The "iron mask" was indeed a fiction of Voltaire's imagination; an iron mask the prisoner never wore, but only one of the light velvet masks covering part of the face, which were in common use in those days, and can now be seen at any masked ball. But, furthermore, there seems little reason to suppose that ordinarily the prisoner was kept masked. During the early part of his confinement, the secret of his identity was carefully guarded, but long before his imprisonment ended with his death, there is nothing to show that he was kept masked except when moved from one prison to another. So the Man with the Iron Mask becomes very nearly a man with no mask at all.

It has long been supposed that Count Mattioli was the famous prisoner, but some breaks in the evidence rendered it impossible to identify him satisfactorily, and historians had come to regard the problem as insoluble. By the unwearied industry of M. Topin, the missing links have been discovered, and apparently it is now established beyond all reasonable doubt that the prisoner who was received at Pignerol in 1679, and who ended his life in the Bastille in 1703, after thirty-four years of confinement, was Count Mattioli, a gentleman born in Bologna in 1640, and afterwards in the service of Charles IV., Duke of Mantua.

It has been argued that a man of so little importance would not have been guarded with such extraordinary care, but when Mattioli was first imprisoned, his conduct had been especially distasteful to Louis XIV., and yet, as the subject of a foreign prince, his arrest was in defiance of the law of nations, and it would have been inconvenient to have such an act of underhand violence brought to the attention of Europe.



Therefore it was, that while Louis was resolved to punish with severity a man who while professing to be his emissary had betrayed his secrets to other powers, yet he also desired that the method of punishment should be concealed, and the identity of the unlucky offender should be destroyed. "You will guard him in such a manner that no one may know you have a new prisoner," was the order given by Louvois in 1679, while the King's own direction was that no one should know what became of the man. Mattioli was secretly arrested, his face was masked when he was carried to the prison, and for many years special pains were taken to conceal the fact that a subject of the Duke of Mantua was kept, in violation of international law and all law, in a French fortress.

Long before the death of the ill-fated Mattioli, he had ceased to be important. He was kept in confinement, as was many another luckless prisoner, because it would have been inconvenient to let him out, and the manner of his confinement, exaggerated by some careless entries in the prison records, and seized upon by the most ingenious of writers, made of him a famous character.

Apparently the mystery is solved. It was not so much of a mystery as was supposed, but Mr. Hopkins's book gives in readable form the truth about the "man in the mask," and some account of the ingenious fictions that have been composed in reference to "The Man in the Iron Mask."

JAMES BRECK PERKINS.

*The Rise of the Russian Empire.* By HECTOR H. MUNRO. (Boston: L. L. Page and Co.; London: Grant Richards. 1900. Pp. xii, 334.)

MR. MUNRO has chosen a good field. In these days when the increasing importance of the Russian Empire and everything concerning it are being universally recognized, a clear account of the early history and development of this mighty state should appeal to the general public as well as to the scholar. In English we have hitherto had almost nothing on the subject, except Ralston's little book and the few chapters in the translation of Rambaud. Here was a chance for an excellent bit of work. We do not demand original investigation or close acquaintance with the sources; a satisfactory knowledge of the latest results of Russian scholarship, and the ability to make use of them could have furnished us with all we ask for. The task was tempting and not too difficult. How has it been fulfilled in the present volume?

We turn, to begin with, to the "list of Works consulted," "arranged somewhat in the order in which they have been found useful." At the head of them stands the French translation of Karamzin, published in 1819. This is a shock. Of course, Karamzin is a classic whom every student of Russian history should consult, but what should we think of a foreigner who cited as his first authority for a new history of England, a French translation of Hume? Continuing, we see in the list many valu-

able works that belong there ; we also note glaring omissions, for instance Miliukov and Bielaev among Russian, Brückner and Cahun among foreign scholars. The English translation of Rambaud, published in 1879, comes fourth in the order of usefulness. If Rambaud is to be put so high, at least the latest French edition accessible with his matured and corrected views should have been used ; and what, in all conscience, is Freeman's *Ottoman Power in Europe* doing more than half way up ? A lack of broader knowledge, too, is shown by Mr. Munro's old-fashioned view of the Byzantine Empire, now rejected by all students of the subject, by his treatment of Polish topics and his spelling of Polish names, and by his repetition of the usual exaggerations as to the size of the Tartar armies. When he attempts parallels they are not particularly happy ; witness his comparison between Oleg and Charlemagne, which is absurd.

Still, it is not with the detail of his facts, in the main accurate enough, that we have to quarrel with him ; it is rather in his appreciation and treatment of them. Not merely is he prejudiced, as when his dislike to the Orthodox church—and it would seem to the Christian faith in general,—makes him entirely fail to grasp how much their religion and its ministers have done for the Russian people ; he has also fallen, and fallen hopelessly, into the commonest of all mistakes in dealing with things Russian, that of regarding them as abnormal. Thus, instead of treating the early history as a subject, interesting and in some ways peculiar enough, but still perfectly comprehensible, and fundamentally governed by the same rules as that of other states, he is continually trying to impress us with the strangeness of his theme. There is a striving for effect from the beginning to the end of the book : nothing is ever natural, it is all lurid or grotesque or both. The result of this craving for the picturesque is a confused mass of word painting, which only a brilliant style could have redeemed ; and the style is atrocious. It may be a writer's misfortune, not a fault, that he has not a positively good style, but there is no excuse for the badness of pages of turgid rhetoric mixed with ineffective sarcasms, not infrequently in bad taste. The countless similes too, in which the author indulges are hardly ever happy ; the masses of double-barreled adjectives are very exasperating, the whole is confused and wearisome.

These faults would deserve less attention if they were defects in English. Unfortunately they are characteristic of Mr. Munro's whole attitude towards his subject and indicate his failure as an historian. Russian history should be viewed in just as cool commonplace a fashion as that of any other country, and its phenomena examined just as calmly. Under such treatment they lose any extraordinary character. The rapid conquest of a mass of disunited Slav tribes by Varangian adventurers is easy enough to understand, as is the dividing up of the empire thus formed among the different children of the princes, in a way common in primitive societies : the reasons why Russia got her religion from Constantinople not Rome, why she was conquered by the Tartars, and why after

the Tartar empire had crumbled she found herself separated from the rest of Europe are capable of natural explanation, and do not call for any particular rhetoric.

One other criticism of detail is perhaps worth making, the treatment and transcription of Russian names. This question of transcription is one on which people disagree entirely, and where it is often difficult to agree with one's self. Mr. Munro at least has a distinct system; it is barbarous looking and he is by no means always consistent in its use, but there is no advantage in wrangling with him here. More annoying is his pleasure in putting in foreign words where English ones would have served every purpose as well, as in his continual repetition of Novgorodskie and Tsarskie and Ljnedimitri, etc., and his affectations such as Moskva, Warszawa, Wien. If we insisted in writing the name of every well-known foreign capital in its native form we might just as legitimately put in the Chinese characters for the word Pekin. In the present instance this unnecessary parade of accuracy seems like part of the general striving for effect which is the chief cause of the disappointment one feels in reading what might otherwise have been a useful book.

ARCHIBALD CARY COOLIDGE.

*Charles William Ferdinand, Duke of Brunswick. An Historical Study, 1735-1806.* By LORD EDMUND FITZMAURICE. (London, New York and Bombay: Longmans, Green and Co. 1901. Pp. vi, 147.)

THIS is, as the title page apprizes us, an historical study, not a biography. The fact is to be regretted, for a biography of Charles William Ferdinand remains yet to be written, and will be a contribution of no mean value to the history both of enlightened despotism and the French Revolution. Indeed it is a cause for surprise, that neither in German nor in English there has yet appeared what may properly be termed a biography of a man who once aroused the thrilling interest and received the plaudits of the English and the German public. On the score of pathos alone less prominent actors on the human stage have attracted a biographer. For this Duke of Brunswick is he, whom for his youthful exploits in the Seven Years' War Frederick the Great and Pitt hailed as "The Young Hero," and whose fame, after burning brightly for half a hundred years, went out suddenly and completely, beyond the hope of relighting, under the smoke and wreckage of the double battle of Jena and Auerstadt. This is a tragedy on almost a Greek scale, and is enforced by many incidents of a career which seemed to be the constant play of a blind, spiteful chance. Thus it can only be described as one of Nature's huge cynicisms that he, the darling and exemplar of the German *Aufklärung*, should have become identified with, nay, made himself the very mouth-piece of that leagued feudalism, which made itself an eternal laughing-stock in the Brunswick manifesto of July, 1792, against the Revolution.

It is really difficult to understand why Lord Fitzmaurice deliberately kept his sketch within the limits of "an historical study." By reason of this self-restraint his results are, it may as well be immediately confessed, slight and infirm. He probably argued that he was acting within the requirements of his form in contenting himself with already published material, and though he exhibits a praiseworthy familiarity with available references, it can not be pretended that he enlarges our knowledge by a single fact. Nor does he furnish a new interpretation of the duke's character, an original point of view. A personality, no matter how familiar, becomes embued, when seized and portrayed by a powerful mind, with all the interest of novelty, but the Duke of Brunswick, as presented in these pages, is not studied from life, but is at best a faithful pencil copy of the portraits found in Sybel and Chuquet. His person never emerges from a sort of prehistoric half-dark, does not become authentic and palpable, except in a few anecdotes and incidents drawn from Massenbach and Boyen.

The book, which is handsomely got up, is laudably free from careless errors. However, it may be noted that there is no good reason for complicating Kunersdorf with an *umlaut*; that the duke's mother was very far from being Frederick the Great's favorite sister (p. 7); and that the sequence of the battles and surrender, of the year 1759 is much misrepresented on p. 8. The essay has an appendix of documents, the *raison d'être* of which, in view of the fact that none of the material is new, does not force itself upon the reader. Altogether the book may be said to maintain the level of a good magazine article, which it originally was, but certainly to fall below the requirements of even an historical essay.

FERDINAND SCHWILL.

*The French Revolution. A Sketch.* By SHAILER MATHEWS. (New York, London, Bombay: Longmans, Green and Co. 1901. Pp. vii, 297.)

PROFESSOR MATHEWS has written an admirable text-book of the French Revolution. In less than three hundred pages the causes of that movement and its course are clearly traced in the light of the most recent and authoritative investigations. The justness and adequacy of his conception of the Revolution is shown by this paragraph: "In France, just as in America a few years before, and in England in the preceding century, revolution was the outcome of national convalescence, of a socialized conviction of injustice, and of a universal determination to install justice. It was the expression of popular hatred with abuses—political, social, ecclesiastical, economic—which, if properly met and controlled, might have been turned into the more quiet ways of reform. Nor was it the product of Paris alone. It was the work of a great nation, provinces as well as capital, and to appreciate its significance the student must never confuse temporary mob rule with a national awakening." This conception of the Revolution is successfully worked out in the narrative. Its

predominantly social character, its various stages towards an ever more pronounced radicalism, and the nature and extent of provincial participation are clearly shown.

A third of the volume is devoted to a description of the conditions prevailing under the Old Régime and the reform movements preceding 1789. It is a relief to find so full and adequate a treatment of matter absolutely indispensable to a correct understanding of the Revolution and yet which is generally condensed in books of this character within the curt limits of a single chapter or two. Professor Mathews traces the development of the revolutionary spirit during the reign of Louis XV., showing how manifold it was in its manifestations and how widespread before ever it was touched by philosophy and pointing out the lamentable characteristic that among the worst of the people it was a "mutinous and brutal" spirit, among the best a "morally selfish, or at best morally neutral" one.

Two hundred pages are devoted to the period between 1789 and 1795. The story is told graphically but with moderation. The philosophy of events is shown, as well as their course, for one of the merits of the book is this excellence of its interpretations. The positions of the leading personages and parties in the Revolutionary history are made intelligible. Particularly successful is the treatment of the Girondists and Jacobins. Of the Reign of Terror the author says that it is a fundamental mistake to consider it "a carnival of brute passion, or the outcome of anarchic forces become ascendant. This was true of certain days and of the work of certain agents of the Convention . . . but utterly false in the case of the government by committees between June, 1793, and July, 1794. The Terrorists were seekers after order, not after anarchy, and while it lasted the Terror was a genuine experiment in politics—crude, hideous, and never to be confounded with the work of the generous idealists of the Constituent Assembly; but in a politically ignorant and morally weak nation like France, possessing not a single man of first-rate ability among its legislators, probably inevitable. . . . But more than all it was implicit in the absolutism and the morals of the Old Régime" (p. 227).

Professor Mathews wisely gives little space to military events, merely indicating their bearing upon the Revolution. He closes his narrative with the installation of the Directory in 1795.

CHARLES D. HAZEN.

*Jean-Paul Marat, The People's Friend.* By ERNEST BELFORT BAX.  
(Boston: Small, Maynard and Co. 1901. Pp. ix, 353.)

AN unpartisan and critical biography of Marat has long been desired. No one of the important Revolutionists has fared worse at the hands of posterity. His was too vehement a nature to have aroused other than vehement passions and consequently he has passed into historical literature as the *enfant perdu* of the Revolution. Modern historical investigation imperatively bids us alter our views. A biography that should

present the militant Jacobin in the new light, subjecting his career to a thorough and rigid examination, carefully substantiating every position taken in so stormy a narrative would be of great service. We do not need a defense, an apology, or an arraignment, but an impersonal study.

This Mr. Bax has not given us. Instead he has ranged himself with that great company of biographers who consider it their task to defend their heroes against all comers. Furthermore he has interjected his own political and economic views so freely into his narrative as to give it a polemical character, thereby lessening its value as pure biography. The temper in which the book is conceived is shown by this paragraph :

"The verdict of the 'world' on a public character, as well as on moral worth in general and its opposite, like the public opinion of the 'world' on other matters, represents only too often the verdict or the opinion of class-prejudice and ignorance. It is, in fact, a fairly safe plan to ascertain for oneself 'what most people think' on such questions, and then assume the opposite to be true. The result is a good working hypothesis, which remains, of course, to be possibly modified or even abandoned by subsequent investigation, but which is generally the nearest approach to truth we can make in the absence of the requisite knowledge for forming an unbiased judgment. Acting on this principle, the very extravagance of abuse with which Marat had been assailed suggested to me the probability than an exceptionally noble and disinterested character lay behind it. Modern research on the subject of the French Revolution has certainly more than justified this assumption" (pp. v and vi).

This is not auspicious, nor does our sense of the trustworthiness of this biography increase when we read the characterizations of prominent Revolutionary figures. Bailly, according to Mr. Bax, "from sheer timidity and want of backbone, allowed himself to be dragged at the tail of all the intrigues and rascalities of Lafayette and his following, and we regret, but cannot wonder, that he ultimately found his way to the guillotine." Pétion is a "lady's man," Barbaroux, a "young dandy," Madame Roland "that odious but classical example of the female prig." The touchstone of Mr. Bax's impartiality must lie in his treatment of the Girondists, Marat's bitterest enemies. One does not need to be an admirer of that party to find this treatment inadequate, unjust and contemptuous.

In a work professedly aiming at the rehabilitation of a much abused man we are justified in expecting elaborate, definite and, if possible, incontrovertible detail in the support of every main contention. Now one of the important sections of this book is devoted to Dr. Marat's professional, scientific and literary labors before the Revolution and we are told of his eminence and his influence in the world of thought and speculation. If these were what they are stated to have been, there must be an abundance of contemporary evidence to the fact. Very little of this is adduced, however, and the main reliance is placed in Marat's own statements, which are accepted in almost every instance at their face value—always a dangerous proceeding, but particularly so in the case of one so suspicious of others, so inflated with self-esteem, so exaggerated in statement as was the Friend of the People. Cases in point are Marat's account, sixteen

years after the event, of the treatment he endured at the hands of Lord North (pp. 31-35); and his description of his scientific career and the malignant hostility of the *philosophes*. This defect, of not controlling Marat's own evidence by the testimony of others, is one that recurs frequently throughout the book.

Mr. Bax's treatment of Marat's policy of violence and intimidation is not very clear, and is apparently inconsistent in its various stages. On p. 140 he quotes Marat as saying that these tremendous demands for ten thousand, a hundred thousand, heads were merely a rhetorical device, an emphatic way of speaking—"I used them with a view to produce a strong impression on men's minds and to destroy all fatal security"; whereas, on p. 178, he again quotes Marat as indignantly denying to Robespierre that these "sanguinary demands" were merely spoken "in the air." On pp. 137 and 225, Mr. Bax seems to suggest that Marat's ill health may be held responsible to some extent for the truculency of his language, a reasonable explanation that should have been more emphasized. But at other times he seems to defend this policy as justifiable, taking occasion to animadvert severely upon Thiers, certainly an irrelevant figure in a life of Marat (pp. 139-142; 209-215; 250).

Mr. Bax quotes Lombroso as saying that the skull of Charlotte Corday exhibits "all the characteristics of the prostitute criminal type." He does not quote another remark of Lombroso to the effect that Marat was of "*le type criminel complet*." The one remark would seem to be about as important as the other.

CHARLES D. HAZEN.

*Mirabeau*. Von Professor Dr. B. ERDMANNSDÖRFFER. Mit 4 Kunstbeilagen, 1 Faksimile und 93 Abbildungen. [Monographien zur Weltgeschichte, nummer XIII.] (Leipzig: Velhagen und Klasing. 1900. Pp. 128.)

THIS work was Erdmannsdörffer's last contribution to historical literature. It is one of a series of monographs written for the general reader and might serve as a model for that kind of a book. The general reader objects to footnotes; he cares only for the results, but they must be reliable and presented in an attractive form. A satisfactory book of that kind cannot be produced by a novice; it can be written only by a man of experience and training, with a special knowledge of the subject treated. That many of the ablest of modern historians have not disdained to write for a popular audience, is one of the hopeful things about modern historical literature.

Erdmannsdörffer's book impresses me as being, in some respects, the best short life of Mirabeau that has yet been written. It is naturally less brilliant, from a literary point of view, than the "*Vie de Mirabeau*" by Mézières, but it appears to me more scholarly; it is a better presentation of Mirabeau and the French Revolution than Willert has given us.



Some years ago Professor Erdmannsdörffer edited the correspondence between Karl Friedrich von Baden and the Marquis de Mirabeau; during his last years at Heidelberg, one of his favorite lecture courses was upon the French Revolution. This knowledge of the subject, in detail and in general, combined with his experience as an investigator, a writer, and a successful university lecturer marked him as the man who was likely to write a scholarly and attractive life of Mirabeau. He did his work so well that it will not be necessary to do it over again for the German public. Erdmannsdörffer has done for the general reader what Stern had already done for the historical student, and the popular sketch is as sound, as true to the evidence, as the scientific treatise.

The proportions of the work are, with some exceptions, excellent, and details have been subordinated in a masterly manner. Never losing sight of the fact that his subject is to be dealt with as an historical character, he passed rapidly over certain episodes in Mirabeau's life that are dwelt upon at length by Mézières. The affair with Mme. de Monnier at Pontarlier and the divorce trial at Aix are good examples of this method of treatment. Such careful preservation of proportions and of the historical perspective lends to the narrative a dignity that is seldom met with in works of this class.

The attitude of Erdmannsdörffer toward Mirabeau is admirable. It resembles that of a kindhearted physician toward his patient. He is sympathetic, but he does not allow his sympathy to interfere with the scientific study of the subject. It is this characteristic, among others, that inclines me to place his book above all the other popular lives of Mirabeau with which I am acquainted. No more appreciative paragraphs have ever been composed on this strange mortal than those written by Erdmannsdörffer upon the *Lettres de Vincennes*, upon the constant conflict between the statesman and the demagogue in the last three years of Mirabeau's life, and upon the disreputable publication of the notorious *Histoire secrète de la cour de Berlin*.

The book will prove interesting even to those that are acquainted with Loménie and Stern. The chapters upon the Marquis de Mirabeau as a publicist, upon the coöperation of Mirabeau and Mauvillon in the production of the *Monarchie prussienne*, upon the Notes to the Court, and upon a number of other important topics, were inspired by a careful study of the sources and are suggestive reading.

I have noted very few incorrect statements of fact in the book. When Erdmannsdörffer suggested that during the procession of May 4, spectators sought for Bailly in the ranks of the Third Estate, he forgot that the famous academician was not elected until May 12. While, as I have said, the proportions of the work as a whole are excellent, the treatment is not flawless. Not enough space is given to the important period from 1772 to 1776, from Mirabeau's marriage to his transfer to the fortress of Joux; the financial relations between Mirabeau and his father, on account of the important part they play in the lives of the two men, should have received fuller treatment.



The illustrations form a very valuable and instructive addition to the text. They are excellent reproductions of contemporary woodcuts, engravings and paintings. Seven portraits of Mirabeau, a facsimile of one of his letters, the château d' If, the citadel of the Île de Ré, the donjon de Vincennes, several views of the hall of the Estates at Versailles and of historical buildings of old Paris, together with portraits of most of the famous contemporaries of Mirabeau, make up this attractive list. The paper, printing, and binding of the book represent the best results of German handiwork.

FRED MORROW FLING.

*Le Conventionnel Philippeaux.* Par PAUL MAUTOUCHET. (Paris : Société nouvelle de librairie et d'édition. 1900. Pp. xlii, 408.)

THIS work was presented as a thesis for the doctor's degree at the Sorbonne and was "brilliantly" defended March sixth of this year. Referring to the book in the *Révolution française* (April 14, 1901), M. Aulard states that M. Mautouchet did his first work upon the subject in one of the practice courses at the University and later recast it and developed it more fully as a thesis.

As M. Aulard remarked, "It is a good book." It could not be a great book, chiefly from lack of material. All that is known of Philippeaux previous to 1789 barely fills a page; he did not become a national character until the autumn of 1792, and he was guillotined in the spring of 1794. An honest, laborious, self-sacrificing, but very ardent patriot, his historical existence was a tragedy in a single act. This tragedy has already been brilliantly described in outline by Michelet; M. Mautouchet presents it in all its details. Had Philippeaux not been sent upon his famous mission to Vendée, he might have been as little known as many of the members of the Convention.

M. Mautouchet properly devotes nearly half of his volume to these last few months of the life of Philippeaux. He describes the success of the mission in uniting the people and in raising volunteers; the obstacles thrown in Philippeaux's way by the demagogue generals at Tours and the criminal abuses and mismanagement that he noted in their army; the saving of Angers, the unification of Nantes and the failure of the plan of campaign, advocated by Philippeaux, because the army of Tours did not support him; the denunciation of the generals and the criticism of the Committee of Public Safety, leading finally to the arrest, trial and execution of Philippeaux. His frankness cost him his life. In his last moments, knowing what the outcome would be, he declared that no torture could force him to betray the sacred interests that the people had intrusted to him. The memory of such a man deserves to be vindicated, and M. Mautouchet has vindicated it, although he was not able to prove to the satisfaction of M. Aulard that the famous order to retreat, that Philippeaux charged Rossignol with writing, was even written.

In form, the book is beyond criticism; the bibliography, with its

long list of manuscript and printed sources and historical narratives, is apparently as complete as industry and skill could make it; the foot-notes are abundant and contain valuable matter; the *Appendice* is devoted to documents hitherto unpublished. The introduction is, perhaps, too scientific. The writer of an historical work should be thoroughly familiar with the historical method and should never lose sight of it either in his investigations or in the presentation of the results, but it is somewhat naïve, to say the least, to discuss in an introduction the general principles of method that are found in every good text-book.

FRED MORROW FLING.

*L'Île de France sous Decaen, 1803-1810.* Par HENRI PRENTOUT.  
(Paris: Hachette. 1901. Pp. xlvii, 688.)

IN history there is a recognized tendency for a lost to remain an unchronicled cause. Men care not to rehearse their own defeats. This weakness French scholarship, in such works as the present and Lorin's *Frontenac*, has overcome. Dr. Prentout's treatise has, beside this melancholy interest for his countrymen, a touch of literary chivalry. Its central figure, Decaen, on his return from the east in 1811 found himself partially dislodged from the current of larger affairs and died, in 1832, in comparative obscurity. The author, a frank admirer, seeks, by reviving the memory of Decaen's services, to promote juster appreciation of his merits. The treatise rests on the papers of Decaen himself, preserved since 1872 in the library of Caen; which source, by its freshness, heightens the worth of the work as a whole without compromising the author's brief for its hero. For these papers are, during the years in question, mostly in the trustworthy form of letters; and all conclusions which the author has based upon them, he has checked and completed in the archives of Paris, London and Mauritius.

By the peace of Amiens, France, to use Forfait's expression, "held just enough of India to be able to say that she was not excluded." This remnant of French dominion, which Bonaparte hoped to revive, he entrusted at that critical time to Decaen. Decaen was born, the son of a bailiff, at Caen in 1769, enlisted in 1792, attained the rank of brigadier in 1796, and in 1800 had closed this satisfactory career in the German campaigns by commanding with credit a division at Hohenlinden. His appointment as captain-general in India, though self-sought, was considered by Moreau, whose trusted lieutenant he was, as nothing less than banishment. Such it may have been in the eyes of Bonaparte, who crippled his rival at the time by appointing several of Moreau's lieutenants to posts in remote colonies. Decaen himself he was careful to weaken by withholding from his control both the Isle of France and the French squadron in those seas. In the second of these points, Dr. Prentout sees the sinister influence of the minister of marine, who was on ill terms with Decaen; but, in respect of both, one may observe that Bonaparte, then at war with Toussaint Louverture in

the West, would distrust too powerful a proconsul in the East Indies. The renewal of the war, by closing Pondicherry to the French, transferred and confined Decaen to the Isle of France, under him the citadel, for seven years, of French power in the east. His activity here this work surveys at large—the restoration in the colony, as in France, of the old centralized régime under new forms; Decaen's futile efforts to promote a French attack in India; finally his surrender in 1810 to an overwhelming English force. On all these points the work is a mine of information. Its interpretation is frank, yet open at times to criticism. Napoleon, for instance, is blamed for neglect of the colonies as against Europe; Decrès for indifference in reinforcing Decaen. Could they do otherwise? Of three vessels sent singly to the Isle of France in the winter of 1808–1809, the English took two.

American readers will be struck by the repetition here, on a smaller scale, of the bickerings and love of display so prominent in the annals of New France. Decaen religiously devoted his salary and allowances, one hundred thousand francs, to the maintenance of his social prestige; while his differences with his associates read like a classic in quarrelsomeness. From his first interview with Decrès he quarrelled with that minister. When Bonaparte taxed him with this, Decaen claimed the First Consul's protection. Bonaparte smiled and promised to be his "champion." At Brest Decaen fell out with his naval colleague, Linois,—an omen of their later intercourse. In the colony, his relations with the prefect were good, with the commissioner of justice, towards the end, bad. In spite of this record he seems on the whole to have been a man genial, popular, a little arbitrary, never bitter. An estimate of his capacity is not easy. Lord Whitworth termed him, before his colonial career, a man not remarkable either as a general or as a statesman. Twenty-seven years later, Sebastiani, in offering him the presidency of a commission on colonial legislation, referred to his "glorious reputation won in the colonies." His civil administration in the east was a success, his military failure no disgrace. Napoleon himself, in 1807, asked Decaen's brother, "Why have the English not taken the Isle of France?" and added, "'Tis their stupidity." His extension and support of the lycée in the colony during his trying régime will compare, for breadth of view, with Humboldt's foundation of the University of Berlin in 1810. And, in his last days, he could say to Gouvion St. Cyr and Soult that thirty years of honorable service in important posts had left him nothing but the satisfaction of having done, at all times, his duty.

H. M. BOWMAN.

*Histoire du Second Empire.* Par PIERRE DE LA GORCE. Tome V. (Paris: Plon, Nourrit et Cie. 1901. Pp. 538.)

IN this, the fifth volume of his history of the Second Empire, M. de la Gorce brings the narrative to the first month of the year 1870. Beginning with the battle of Sadowa he continues his analysis of the Franco-

Prussian relations, discusses the whole matter of the compensations with exceptional skill, and ends his first chapter with the issue of the La Valette circular. Then passing to the Mexican question he completes his study of that unfortunate adventure, leaving Campbell, United States agent in Mexico, with the full responsibility for failing to carry out Seward's instructions to intercede with Juarez for clemency toward Maximilian; and calling the trial of the Emperor an extraordinary travesty of justice (p. 137). Returning to France he takes up the Exposition of 1867 and deals once more with Franco-Prussian relations when "d'abandon en abandon, de concession en concession, nous étions obstinés à concentrer nos désirs sur le Luxembourg." Closing this after an account of the London Congress, with Moustier's apologetic speech to the Chamber, in which the minister declared that the object of France had been less to increase her territory than to protect her frontiers (p. 194), he turns to Italy and analyzes the Franco-Italian relations from the Convention of 1864 to the battle of Mentana. As in previous chapters on Italy, so here, we have the fullest, keenest and most lucid analysis of one of the most involved of Napoleon's intrigues.

Why did the Emperor intervene at Mentana when thereby he alienated the only power in Europe remaining friendly to France at that time? Why did he not allow the Italian government to carry out its policy of occupation of Roman territory when he had already done so much for the Italian cause and had seemed so amenable in the past to the importunities of the Italian diplomatists? Why did he reverse the attitude assumed in 1860 and refuse at this time to listen to such men as Nigra and Pepoli who wished to repeat the ruse that had succeeded so well at Castelfidardo, particularly as Prince Napoleon, La Valette, even Rouher, at this time high in favor with the Emperor, opposed a second expedition to Rome? It will not be enough to cite the Convention of September; that was only a *modus vivendi*. M. de la Gorce finds several reasons: first, a change in Napoleon's own views, for on account of the "grand scandale," the "Imposture" of Castelfidardo, he had lost his old illusions; second, the inferiority of Nigra's diplomacy and cunning, for the Italian ambassador of 1867 was not the equal of Cavour; third, the arguments of Moustier and Niel, who threatened to resign if their counsels should not prevail; fourth, a desire to uphold the papacy and to renew the alliance between the clergy and the empire. But after all, are these the reasons? Each undoubtedly had an influence on Napoleon's mind, but can it be honestly said that Napoleon ever acted on reasoned convictions? He was a man of impulse, Micawber-like waiting until some event turning up at the moment of action, should compel decision. On no other ground can Napoleon's diplomacy be explained.

How was it in this case? The decision had not been rendered when Nigra left Biarritz, nor even after the threats of Moustier and Niel had led to the adoption of intervention in principle. Everything hung in the balance to the end: Nigra was confident on one side that Napoleon would favor Italy; Armand, French secretary of legation at Rome, on

the other, that he would uphold the cause of the Pope. Even in the council of October 25 "*l'empereur s'acheminait vers la politique d'action, mais avec toute sorte de retours*" (p. 295, italics mine). But when the news came of the actual starting of the Garibaldian expedition and of the great alarm in Rome, then fear of revolution in Italy and its possible danger to both Pope and King seemingly impelled Napoleon to a decision. Yet even at the last moment the order wavered. M. de la Gorce gives a remarkable story on page 296, told him by the heirs of Vice-Admiral de Gueydon, according to which the fleet at Toulon was sent, recalled, ordered to lie off the coast within reach of a recall, and then got away under cover of increasing darkness, escaping from those who would wish to have called it back again.

Haphazard diplomacy! How else can it be designated—not only with Italy but still more with Germany? In those portions of the work that will prove most widely interesting—the chapters treating of the relations with Prussia—M. de la Gorce lays stress where a Prussian would not have placed it, upon the weakness, the divided counsels, and the hesitation of France, and not upon the diplomatic greatness of Bismarck. Unlike Sybel, who as a patriotic Prussian is concerned with the merits of Bismarck and other Prussian leaders, M. de la Gorce brings out the good fortune that attended Bismarck and gave him so impotent an enemy to oppose. He gives the Prussian minister full credit for bravery, for diplomatic rashness that was almost genius, but he refuses to deify that statesman, believing that having fathomed the helplessness of the enemy he became hard, unscrupulous, and possessed of little nobility of character. There are many, not Frenchmen, who will agree with this view, and who will follow M. de la Gorce when he speaks of "*les iniquités de la Pologne, les sophismes de l'affaire danoise, les brutales hardiesses de la politique prussienne*" (p. 66). It is well to have both sides presented: Sybel's glorification of Bismarck, to the neglect of the actual situation in France; de la Gorce's fearful arraignment of the inextricable confusion that prevailed in the French government contrasted with the machine-like precision and simplicity prevailing at Berlin.

I know of no work that brings out this confusion and disorder more strikingly. An emperor, genial and courteous, possessed of a benevolent and humane spirit, liberal by nature, in diplomatic intrigue simple even to *naïveté*, constitutionally an autocrat yet loving to turn to the humblest of his subjects that he might hear his opinion, desirous of repose yet rarely obtaining it, wishing for others contentment, for himself, peace, the recovery of his health, and relief from his cares. Complaisant in consenting that Prussia should annex new millions of inhabitants and hurt because Bismarck would not grant France an equivalent. Consenting to the unity of Northern Germany just as he had consented to the erection of a larger Piedmont, in the forlorn hope that one would mean a dual Germany as the other had been planned to inaugurate a *federated* Italy. Trusting that liberty of the press would draw the nation more closely to him but not realizing that "*après la compression des années*

précédentes la société impériale était en crise d'indiscipline," and that the chief result would be Rochefort and his *Lanterne*, in which "la société décadente du Second Empire avait rencontré un publiciste à son image" (pp. 400, 401).

And so it was: constantly deceived and constantly disappointed Napoleon maintained to the end views that abroad proved impracticable in the presence of the purposes of Cavour and Bismarck and at home illusory in the face of a declining respect for the empire. But more serious than Napoleon's incapacity and weakness were the divisions everywhere prevailing among the Emperor's advisers. A French Bismarck with so pliable a character to control might have altered essentially the situation though he could not have saved it. But there existed no master mind. The Austrophiles and the Prussophiles, the Catholics and the Italianissimes, the war party and the peace-lovers, conservatives and liberals, all pulling in different directions. Study the debates on the army measures of 1867-1868 (Book XXXIV.), and contrast the plans of the Emperor with the hysterical objections of Marshal Randon, the searching criticisms of Trochu, the hostile attitude of the speakers in the Corps Législatif, and the eventual mutilation of the measures. And so goes the tale through the entire volume: a tale of inefficiency, disunity, selfish ambition, and conceit.

M. de la Gorce has never told a better story or a more scholarly one. We are not surprised that the work has been crowned by the French Academy, receiving the *grand prix* Gobert, and has already passed into a second edition. If Bonapartism were not already dead in France, the vogue of so unvarnished an account of Napoleonic failure would certainly hasten its demise and end what little life remained in the Napoleonic legend of to-day.

CHARLES M. ANDREWS.

*Modern Spain, 1788-1898.* By MARTIN A. S. HUME. [The Story of the Nations.] (New York: G. P. Putnam's Sons. 1900. Pp. xxii, 574.)

THIS book may fairly be numbered among the better volumes of the useful but unequal series to which it belongs. Mr. Hume is exceptionally equipped by long residence in the peninsula and by family connections to write the history of modern Spain and he has produced a readable narrative which bears frequent witness to his first-hand knowledge. Although in the main he devotes himself to giving an account of the political vicissitudes of the Spanish people, he does not neglect economic aspects of the period nor fail to pass running comment upon literature and art. One cannot help feeling, however, as he runs upon statements that a moderate degree of specially directed investigation would show to be either hazardous or positively erroneous, that the author, relying with confidence upon his familiarity with Spain and his general reading, has taken his task a little too lightly. The following examples may be given

as illustrations. On p. 42 it is said that "the population of Spain had steadily declined from the time of the Goths, when it was very numerous, down to the first quarter of the eighteenth century." As the figures given for the population of Spain are all guesswork before the census of Castile in 1594, and equally so for Spain outside of Castile until 1797, so confident an assertion of the steady decline of the population of the peninsula for over a thousand years is, to say the least, hazardous and misleading. On p. 6 the well-known prophecy of Aranda in regard to the future greatness of the United States is quoted and it is said to be from a letter which Aranda wrote to Florida Blanca. This document according to its title was a memorial submitted to the King and not a letter to Florida Blanca. That it is of doubtful authenticity Mr. Hume is evidently unaware; yet Ferrer del Rio discussed it in his "*Historia del Reinado de Carlos III*" and reached the conclusion that it is not genuine. He was unable to find the document in the archives and the views presented in it are inconsistent with authentic expressions of Aranda. Baumgarten in his "*Geschichte Spaniens*" is also positive in his rejection of it for the same reasons. The account on p. 54 of the treaty of St. Ildefonso (1801) gives the idea that it was the result of folly rather than of practical compulsion.

In matters relating to American history Mr. Hume's expressions show both haste and unfamiliarity. We are told (p. 446) that Spain had a little war (1861) "in Santo Domingo, where the Spanish half of the Negro Republic desired annexation to Spain," and that Grant (p. 492) "resolutely refused" to recognize the Cubans as belligerents because being "now firmly fixed in his new term of office" he had no "desire to strengthen the Democratic party by adding Cuba to the agricultural states." No doubt Mr. Hume recollects reading something like that in a Spanish newspaper thirty years ago. It is tolerably well known that Grant wanted to recognize the Cubans as belligerents and was with difficulty dissuaded from doing so. The phrases, "the revolt of the English-American Colony" (p. 171), and "the United States legislature" (p. 559), evince a haste that cannot tarry until the precise word presents itself.

EDWARD G. BOURNE.

*The Constitutional History of the United States.* By FRANCIS NEWTON THORPE. (Chicago: Callaghan and Co. 1901. Three Vols., pp. xxi, 595, xix, 685, xvi, 618.)

ACCORDING to the preface, this work, "the labor of half a life time," traces the "origin, progress and development of constitutional government in America from the close of the French wars in 1765, to the year 1895"; but as would be expected by one familiar with Mr. Thorpe's previous book, *The Constitutional History of the American People*, the terms of the title bear a peculiar significance. In reality the work is far less broad in scope, being concerned not so much with constitutional



government as with the formation of the text of the Federal Constitution. Out of 1,829 pages, 1,260 are devoted to the process of formation, ratification and amendment, only 249 to constitutional history in Von Holst's sense of the words, and only 96 to the judicial interpretation of the Constitution.

The author's point of view is also unusual in that he conceives his province to be that of a mere chronicler. He aims to be perfectly impartial in recounting what was said and done, and to abstain from passing judgment on any constitutional doctrines or arguments, and in this he succeeds to a marked degree. At the same time, however, the reader is left in no doubt as to where the author's sympathies lie. He occupies a strictly Jeffersonian individualistic position regarding the rights of man, checks and balances and constitutional limitations, but he joins with this a strong nationalistic feeling. Hence he applauds the Revolutionary Whigs and stigmatizes their opponents as "Tories," "disloyal," "selfish and intriguing," reprobates the slaveholders and secessionists while eulogizing the abolitionists and radical Republicans, praises equally Jefferson, Lincoln and Thaddeus Stevens. Every effort to define the rights of the individual meets his enthusiastic approval. The three volumes accordingly are descriptive and expository but at the same time highly uncritical and their value depends upon the quality and arrangement of the material they contain. This is considerable.

In the first volume Mr. Thorpe begins with a brief survey of political conditions in 1765, at the same time tracing the rise of democratic political theory in the colonies, and allowing due influence to the frontier and to economic considerations. This is followed by a narrative of the taxation controversy and the Revolution with special reference to the steps taken by the colonies toward union and independence and their expressions of political theory. The colonial protests and resolutions and the actions of Congress are therefore somewhat minutely analyzed. The first part ends with a description of the origin and formation of the Articles of Confederation, the difficulties over their ratification and a summary of the futile attempts to amend them. These opening eight chapters are in many ways the most original and valuable of the whole work. The political and constitutional theories of the Revolutionary statesmen and the political and economic reasons for their action are convincingly shown by elaborate analyses and cross references to documents of all sorts.

The rest of the first volume and the opening third of the second volume are devoted to a full narrative of the formation and ratification of the Constitution and the adoption of the first twelve Amendments. These chapters while based equally upon original sources cover more familiar ground in a less novel way. The rest of the second volume describes the history of the Constitution during the struggle between states' rights and nationalism. Mr. Thorpe does not devote much space to political controversy even though in it the Constitution was appealed to by both sides, but contents himself with a brief summary of such struggles and an even briefer summary of judicial interpretations, his object being to trace



the growth of general political governmental theory. These chapters need to be supplemented by continual cross references to Mr. Thorpe's earlier work, taken with which they become much more valuable. The survey of the era of struggle ends with a detailed study of the fruitless attempts in 1861 to prevent secession by constitutional amendment.

The third volume is almost wholly devoted to the last three Amendments. Here Mr. Thorpe, returning to the methods of his opening chapters, makes use of a comparative study of State and Congressional action during the Reconstruction period, to show the successive steps by which negro liberty and legal equality became part of state and Federal Constitutions. In this, as he says in his preface, he is doing the work of a pioneer, and by the width of his research, the fullness of his citations and his grasp of constitutional and legal documents Northern and Southern has certainly made an extremely valuable contribution to history. Throughout, from 1765 to 1870, he has proved, as no other writer has even tried to do, the impossibility of dealing fully with the Federal Constitution either in its origin or Amendments without ample consideration of the colonial and state governments, constitutions and laws and the political theories current among the people.

But while in the matter of the collection and exposition of legal and constitutional material nothing but praise can be awarded the work, there are certain peculiarities which it is impossible not to mention. The most striking is Mr. Thorpe's use of sources. As regards the primary legal authorities no fault can possibly be found, for the author has spared no pains to secure full authentic reports of every convention, election or legislative act. His foot-notes bristle with documentary references and when these are lacking he has made some attempt to supplement them by newspaper reports. He also makes use of the works of statesmen, especially for the Revolutionary period, but his main reliance everywhere is upon "Official" documents, a tendency equally marked in his earlier work. But when it comes to secondary authorities a great difference is observable. He never discusses and rarely mentions the conclusions of recent writers, even those in his special field. With the exception of Barrett on the Northwest Ordinance, and Libby, Walker, Harding, McMaster and Stone on the Adoption of the Federal Constitution he makes no use of monographic work. The Johns Hopkins series is ignored: no reference is made to Jameson's *Essays in the Constitutional History of the United States*, to Fertig's *Reconstruction in Tennessee* or any other in the Columbia Series, or to Houston's *Nullification*. He has apparently never read Dunning's *Essays on Reconstruction*. As regards the longer works on United States History, the omissions are even more surprising. Bancroft, Frothingham, Trevelyan and Lecky are mentioned a few times, Hildreth only once; but Von Holst, Schouler, G. T. Curtis, H. Adams and Rhodes are unknown. None of the legal writers from Story to Cooley are referred to, except Jameson's *Constitutional Conventions* and Burgess, each once in a foot-note. Precisely why Mr. Thorpe has ignored practically all American scholarship is not clear. If he reached the same

conclusions independently he might be justified in disregarding other writers, but that is not the case. The weakest parts of the three volumes are precisely those which a full knowledge of these writers would have remedied.

To begin with, the work impresses one with a great lack of digestion. Where Mr. Thorpe deals with debates of any kind in any legal body he invariably gives full abstracts without quotations, rearrangement or explanations. He never sums up or groups opinions or statements, he shrinks from no repetition and in this way manages to devote three-fifths of his space to mere debate. With this goes also a singular lack of perspective, the same as that observed in Mr. Thorpe's earlier work. To the author all things legal, or found in authentic documents, appear of equal importance. All parts of the Constitution and all Amendments are worthy of equal attention. More than this all amendments offered to any resolution or act are of equal value with each other and with the act. Still further in any debate each speaker and everything in each speaker's remarks is of equal weight. The result is an overwhelming amount of unimportant matter. More than twice as much space is devoted to the compromise measures of 1861, which failed utterly, as is given to the Thirteenth or Fifteenth Amendments.

The legalism of the author's point of view is reflected in his language. The style, ordinarily clear, is not always easy and lacks variety, besides being filled with technical phrases and certain hard-worked favorite words. In explaining anything, whatever is not "administrative" is "economic" or "political." This gives a drily abstract air to really valuable observations. The arrangement of material in chapters and paragraphs is frequently bad. At times the latter are so mismanaged as to make it difficult to understand whether the author or one of the speakers in a debate is responsible for the ideas.

Probably the legal cast of Mr. Thorpe's mind and his ignoring of other writers are responsible for the slight attention given to political motives. The whole history of the country appears in his pages as a network of legal and theoretical controversy, and the influence of purely partisan and business considerations is barely mentioned. In the colonial period this deficiency is less serious but in the treatment of the Reconstruction epoch it impairs the value of the whole work. Having shown convincingly how down to 1866 there was no wish, North or South, to give the free negro a vote, the author goes on to describe the Reconstruction measures as a triumph of liberalism and democracy without referring to the highly practical motives which led Stevens, Morton and the rest to give suffrage to the blacks. To describe this struggle without recognizing purely partisan motives is to miss the decisive element in the whole story. Hence the third volume appears more obviously one-sided than the first.

Another deficiency is in the author's treatment of the political theories of the colonies. Mr. Thorpe seems to consider them as of European origin, citing Grotius and Montesquieu, and almost ignoring the body of Eng-

lish Whig doctrines, culminating in Locke's political philosophy. In dealing with the knotty question of sovereignty Mr. Thorpe lacks the clearness which comes from sharp definition of the various meanings of the word. Nowhere in the volumes is the distinction made between legally divided and politically united sovereignty, and the evolution in the popular ideas on the subject traced by Professor McLaughlin in the *AMERICAN HISTORICAL REVIEW* for April 1900, appears nowhere in his pages.

Further Mr. Thorpe's dependence upon legal documents and the slight attention paid to secondary sources lead to the presence of a number of actual errors in the text, among which the following are the most striking: In volume I., p. 80, forgetting the Declaration of 1688, he says "the Americans were the first people to accuse the King of violating the compact." In the same volume (p. 110) he accepts without question the Mecklenburg declaration of independence of May 20, 1775. In Vol. II., p. 343, after describing the Naturalization and the Alien Enemies Acts he says "these were the famous alien and sedition acts of 1798"! and later states that they were repealed which is true only of the Naturalization Act. On p. 357 he denies that New England in 1814 meditated secession. On p. 387 he asserts that Jackson before his election "left no one in doubt" of his position on the tariff, which is just what he did do with great skill. On p. 468 he says the decision in *Marbury vs. Madison* was never executed. On p. 560 the map of slave and free territory in 1860 is wrong since it includes both Minnesota and Oregon as territories whereas both were states. On p. 559 he says that the Congress elected in 1860 was Republican in both branches and gives the figures for Congress as it was in July 1861 with no Southern members, whereas in fact the Republicans elected a majority of neither branch. On p. 595 he speaks of South Carolina's falling into the hands of the national forces on September 17, 1862. On p. 682 he says that Illinois alone ratified the amendment proposed in 1861; MacDonald's *Documents* gives Maryland and Ohio. In Vol. III., p. 122, the Crittenden resolution of 1861 is confounded with the Crittenden compromise offered in the preceding Congress. On p. 516 the Ableman and Booth case is confused with the Merryman case. On p. 524 the author says the fears of several southern States in 1865 that Congress would extend the franchise to the negroes were groundless. But as a matter of fact Congress did this very thing in the Reconstruction Acts. The chapters on political affairs are filled with careless statements of this character, contrasting with the scrupulous accuracy of references to constitutional and legal matters.

The most questionable feature, however, is the fundamental plan. In spite of the wealth of material and keenness shown in interpreting legal matters, is a history of the United States Constitution worth writing on the lines that Mr. Thorpe has followed? The lack of perspective which leads the author to devote only 96 pages out of 1829 to the judicial interpretation of the Constitution and only 164 pages to all other development permeates the whole work. Strong as the volumes are in

the narrow field of legal procedure, they are less than commonplace on the judicial side and in the political interpretation of the Constitution are distinctly weak. The error is made of regarding the text of the Constitution as the main thing, its operation as negligible. Not a word is given as to the practical working of any organ of government except the judiciary, not a word to the results of the Reconstruction Amendments although the History purports to come down to 1895. Valuable as Mr. Thorpe's work is in its field it is far too narrow to make good the claim of its title to be a Constitutional History of the United States.

The three volumes are creditable pieces of book-making. The paper had necessarily to be too thin for elegance in order to keep the volumes of a convenient size, but the page is clear, the type good and misprints relatively few. Out of a score noted, none are more serious than slight misspelling in proper names and errors of a figure in a few dates. There is a long and elaborate index reproducing in its choice and arrangement of topics the merits and peculiarities of the text.

THEODORE CLARKE SMITH.

*High School History of the United States*, being the "History of the United States for Schools." By ALEXANDER JOHNSTON, LL.D. Revised and continued by WINTHROP MORE DANIELS. Further revised and continued by WILLIAM MACDONALD, Professor of History in Bowdoin College. (New York: Henry Holt and Co. 1901. Pp. xviii, 612.)

PROFESSOR JOHNSTON'S *History of the United States for Schools*, appeared in 1885. It was quite generally regarded as among the best of our school text-books. Larger and more complete "Students' Histories" and high school text-books have been published since then; but with the revisions and additions since added to Professor Johnston's book it will be able to hold its own among our good high school texts.

Professor Johnston was one of the earliest among American teachers to recognize the need of better perspective and proportion in the study of American history in our common schools. An undue proportion had been given by previous authors of text-books to colonial times and affairs, more than half their volumes being given, in some cases to the story of the colonies preceding the Revolution. Professor Johnston appreciated more highly the importance of the national period since the Revolution and under the Constitution, and he devoted at least three-fourths, perhaps four-fifths, of his volume to this period. He set a pace which has since been followed. His purpose was to produce, not a narrative story-book of interesting old times in the colonies, of John Smith, Miles Standish, and the Indian Wars, but a topical text-book that would emphasize the principles and policies in our national development, making most for the education of American citizens. This original plan has, of course, been respected and preserved by the revisers. The body of the text in the new work is essentially the same as in the *School History*.

There have been some enlargements and some curtailments; good maps are still plentiful, and the illustrations have generally been enlarged and improved. The questions designed for the teacher's use, placed formerly at the bottom of the pages, have been omitted, and, instead, at the end of the chapters "Topics for further Study" are added. These and the supplementary notes on the sources and references for supplementary reading are very valuable aids. The references are to the most useful and easily obtainable material, and they are given with discrimination and authority, as might be expected from Professor MacDonald, whose experience with documents and authorities makes him an expert in bibliography. The text is brought up to the date of publication, 1901, the last chapter being a good topical summary of the important recent events, without party color or bias on controverted party questions. This chapter takes the place of the final chapter in the old volume, which related chiefly to the state of the country and the causes of our growth, with some speculation as to the future. Teachers of American history in our secondary schools will find the new volume a very useful guide.

J. A. WOODBURN.

*The Spanish Settlements within the Present Limits of the United States.*

1513-1561. By WOODBURY LOWERY. (New York: G. P. Putnam's Sons. 1901. Pp. 515.)

THE futility of human ambition, the helplessness of mere human effort when it tries to achieve that which is not, has never been illustrated more forcibly than in the records of the attempts made by the Spanish Conquistadores during the early sixteenth century to add portions of what is now the United States to the New World empire of Charles V. Spanish soldiers, settlers and priests accomplished marvellous things in the West Indies, in Mexico and Peru. In Florida and the Gulf region, in New Mexico and on the Nebraska prairies the same men could do nothing but wander about until hunger and debilitated energies forced those who had not died to leave the country. The reasons why this was so might afford an instructive subject for investigation by those who believe in the philosophy of history. They will find the material for their study admirably presented in Mr. Woodbury Lowery's carefully prepared account of the several attempts which the Spaniards made to explore the regions north from Havana and Mexico, prior to 1561. The men whose deeds he records, who struggled across the mountains and deserts of the west or pushed their way through the southern morasses, were as skilful as brave and as deserving of the reward as were those who secured the treasure hoards of Atahualpa and Motecuhzoma. And their reward, in the fame measured out by posterity, is as great. Thanks to another race, and circumstances past finding out, it has come to pass that the country explored disastrously by Ponce de Leon, de Soto and Vasquez Coronado is now a part of the territory of a great nation whose citizens are immensely interested in everything that is connected with its past.

Mr. Lowery has devoted for several years a large share of his time and means to the study of this portion of Spanish-American history. Starting with the standard historical treatises, he has accepted their conclusions, verified their references and consulted the public and private sources of information opened to him by his influential Spanish connections. His narrative is based, perforce, upon the writings of previous investigators, Dr. Shea, Buckingham Smith, Bandelier, and the publications of the National Bureau of Ethnology, but he has substantiated their opinions by abundant references to the authorities. New, and true, facts would hardly be expected from the fields which have been so thoroughly gleaned by Sir Arthur Helps and Varnhagen, John Fiske and Barnard Shipp. Mr. Lowery has, however, been rewarded in his study of the original documents by bringing to light a number of important corrections of errors in the opinions of previous writers, especially in those parts of the field where he has been enabled to supplement his own researches by those of Mr. Hodge of the Smithsonian Institution. It is unfortunate, in this work which is quite certain to rank as a standard authority and a principal source of popular knowledge concerning a very interesting portion of American history, that the résumé of the latest results of investigation did not also include so important a contribution as Judge Coopwood's study of Cabeza de Vaca. However, this comment is perhaps the best tribute to the value and merit of the volume which Mr. Lowery has given us. He has provided a readable and reliable account of each of the early Spanish expeditions into what is now the United States. By careful and thorough search he has gathered all the available information, not only about the better known explorers whose names are in the text-books, but equally about the less important ventures, meaningless each by itself, which become significant when grouped together so that the bearing of each upon the whole movement of colonial development becomes apparent. He has brought together the scattered references to a score of random voyagers; stray wanderers, who survive only in chance allusions to otherwise unheard-of happenings, such as the puzzling "Pompey stone" in New York, or the story of a "Columbus church" in Florida. Equally interesting, and equally new to most readers, are the accounts of the early Spanish martyrs on this soil, men who died as nobly and as truly for the cross as any of their fellow missionaries in the first or the last of Christian centuries.

GEORGE PARKER WINSHIP.

*English Politics in Early Virginia History.* By ALEXANDER BROWN, D.C.L. (Boston and New York: Houghton, Mifflin and Co. 1901. Pp. vi, 277.)

DR. ALEXANDER BROWN has performed an important service for American scholarship in collecting and publishing a mass of hitherto unprinted material on early Virginia history, and in coördinating and rendering generally available additional material that was so scattered, or



in such rare books, as to be difficult of use. With due recognition of Dr. Edward D. Neill's valuable work, it is not too much to say that Dr. Brown has most fully presented the history of the first successful colonization of England in America, in its due importance, as the work of a great and influential company of prominent Englishmen, and has shown the relations of the movement to the Spanish diplomacy and to the political struggles in England. To have transferred the center of gravity of early Virginia history from Pocahontas to the London company, is in itself a work that entitles him to the gratitude of serious historical students.

In his *Genesis of the United States*, Mr. Brown presented documentary material and annotations on the period from 1606 to 1616. This he followed by *The First Republic in America*, in which he traced Virginia history from 1606 to 1627. In the latter volume, Mr. Brown showed defects in his mode of treatment which unfortunately reappear in the present book. Nothing is more dangerous to judicious and discriminating historical work than to enlist on the side of a party. Mr. Brown is desirous that his readers shall understand that he writes from the point of view of the "patriot party," and in opposition to the point of view of the "court party." He holds a brief for the London company. This, in itself, would be less serious, if the historian allowed us to weigh his evidence and test the justice of his conclusions. But on some of the most important issues he cites no authorities; often he does not even name sources from which he quotes, and at times the reader is in the dark as to when Mr. Brown is giving the gist of a document, and when he is expressing his own opinions. The special student of Virginia historical material can, it is true, work out for himself the various printed bases of the assertions; but Mr. Brown has secured copies of unpublished manuscripts in the English public record office dealing with Virginia history up to 1624; and until he publishes his evidence the task of those who would weigh the value of his various statements is rendered particularly hard. Other natural organs of publication, like the *Virginia Magazine of History*, which started to publish Sainsbury's abstracts of these English documents, have suspended the publication because of Mr. Brown's announcement that he was preparing to issue them.

This failure to present specific evidence and citation of authority on which he bases controversial assertions is most unfortunate, for it detracts from the undoubted weight of many of Mr. Brown's contentions. It is earnestly to be hoped that he will find sufficient support to continue the documentary publication. His sacrifices and devotion to this task, as well as its intrinsic importance, entitle him to the thanks of students of our history. These documents, rather than Mr. Brown's views, will necessarily shape the opinion of historical scholars.

The argument of the present book is briefly as follows. The colonization of Virginia under the royal government provided by the first charter (1606) was a failure. The colonization by the London Company, under its charter of 1609, had for its purpose "'to lay hold on Virginia as a providence cast before them of double advantage,'"—of escap-



ing the tyranny of imperial government, and of establishing, as a refuge, a more free government in America" (p. 10). "It was not for the sake of gain, but for the sake of the special privileges, immunities, and liberal charter rights that our primary body politic undertook to settle this country at the expense of their own blood and treasure." In a word, Mr. Brown holds that Virginia antedated Massachusetts as a refuge provided by the opponents of the Stuart policy to which they could turn for political freedom. Mr. Brown describes the development of the King's hostility to the company in its relations to Spanish influence; he notes the efforts of the King in 1620 to prevent the election of the liberal Sir Edwin Sandys as treasurer of the company, and the efforts of the latter and his friends to have their charter confirmed, in the succeeding year, by act of Parliament. This was followed by the prorogation of Parliament, the arrest of Southampton, Sandys and Selden (the leaders of the company), and by that protestation of the House of Commons which was torn from the journal by the King himself. Mr. Brown connects these attacks by the King with his Spanish negotiations, and with the efforts of Spain to secure the colony, and to prejudice the King against the leaders of the company ("the seminary of sedition"). Mr. Brown also associates with these events the ordinance and constitution of 1621 providing for popular government in Virginia, and he notes the Bargrave case, which led to the latter's charges that "Sandys had told him his purpose was to erect a free popular state in Virginia in which the inhabitants should have no government put upon them but by their own consent," and that he was opposed to monarchy.

Mr. Brown's next contention is that the Crown aimed to suppress all the evidence favorable to the company, even by the seizure and destruction of its records, and that the official control of the press by license enabled him to exclude the company from publishing its side of the case, and to afford facilities to such works as John Smith's History. The latter he regards as personally "a man of straw," but the official narrator of the "court party"; his work has become the basis of American histories of Virginia, and thus the "patriot party" has been misrepresented and misunderstood. A considerable account is given of the later literature of the controversy down to the present time. Mr. Brown also contends that the provision for allowing a share in the company's stock to be obtained by personal adventure through settlement in Virginia, as well as by purchase, made the organization a body politic instead of a proprietary company, and rendered it possible to transfer the meetings of the company to America whenever a majority of the stockholders should be found in this country.

The criticism of these views must be brief. They are evidently too favorable to the purposes of the company. In extolling the framers of the charter of 1609, Mr. Brown apparently forgets that in its form of government it was the successor to a long line of other chartered English trading companies, of similar organization. He also places radical political opposition to the Crown too early in the reign of James in stressing



the significance of the charter. The whole period of the despotic iron rule of Dale, under the system of a single absolute governor in Virginia (a system which was not terminated until 1618), and the system of shipping "debauched" classes to Virginia, of which even Dale and Delaware complained, cannot well be reconciled with the theory that the primary purpose on the part of the company in 1609 was to create a model free state in Virginia. It is not without significance that not until 1618 did the company provide for an assembly in Virginia, and at that time the company's fortunes were only saved by the institution of sub-companies who purchased stock to make particular plantations; these were unquestionably conducted as business ventures. The company, moreover, never had the homogeneity of interests that would be necessary to permit this attempt to make a free republic in America as a refuge for English liberals. Mr. Brown recklessly understates the commercial purposes of the company in his endeavor to show its political purposes. But the political struggles were closely related to the economic well-being of the company on each issue. It would be difficult to reconcile Dr. Brown's theory that the government could be removed to America, with those clauses of the charter of 1609 in which the council is named as resident in London.

That Sir Edwin Sandys was a leader in the cause of English liberty both at home and in Virginia, a large-minded and liberty-loving statesman, there is no doubt. But Mr. Brown has attributed purposes to the company, particularly in 1609, to sustain which he offers no adequate evidence. He has shown, however, important connections between Virginia and the English struggle for liberty at the close of the reign of James.

Mr. Brown strains a point in his endeavor to show the persistence of "court party" and "patriot" divisions among the historians of Virginia down to the present time. One must repress a smile when he finds Mr. Brown himself obliged to extenuate mishaps in his previous books, by which he has at times fallen from the sound platform of the patriot party. The truth is that historians have lacked complete evidence and have not sufficiently noted the bias of the authorities on which they base their accounts. Mr. Brown's emphasis on the strength of party feeling at this period is well founded, but he has not avoided the danger of being himself affected by these influences. Why should the case not be examined with cool-headed historical criticism free from "viewpoints" of any sort? In his survey of the history of the literature of the subject, he hardly gives adequate recognition to the valuable volumes of Dr. Neill by which the company's place in Virginia history was first made duly important.

It is much to be hoped that the author will soon supplement *The Genesis of the United States* with volumes containing the material for the later history of the company. This, rather than controversial writing, is what is now needed to make clear the early history of Virginia. Surely, there should also be sufficient historical interest in America to warrant the complete publication, not only of the English material, but also of

the manuscripts at Washington, including the records of the London Company, so far as they are extant; these are now available only in abridged form.

FREDERICK J. TURNER.

*Letters to Washington and Accompanying Papers.* Published by the Society of the Colonial Dames of America. Edited by S. M. HAMILTON. Vol. III. (Boston and New York: Houghton, Mifflin and Co. 1901. Pp. xvi, 402.)

OF the material printed in Vol. III. of the *Letters to Washington*, the letters from George Mason, Crawford and Boucher, and the wills of members of the Washington family, have already been published. Of what remains, the most interesting series is that of Robert Stewart who continued in service after Washington had resigned, seeking first promotion in the royal forces, and then the means of securing a regiment for which he borrowed from Washington. Upon reaching London where he expected to make his influence serve to secure a commission, he was drawn into Lord Egmont's foolish but glittering scheme for settling St. Johns, and eventually received an appointment in Jamaica, which ill health obliged him to resign. More than forty of his letters appear in this volume. They show the interest of Washington in the welfare of his military comrades, and his readiness to receive their complaints and suggestions. Being now a member of the House of Burgesses his opinion on army questions carried much weight. A further reminder of his service was the grants of land made by the colony to the officers and soldiers of the Virginia regiment. Some delay in locating these grants had occurred, and Washington entered into the matter not only as an interested party but with the wish to obtain justice for his colleagues.

The volume thus covers the final months of his service on the frontiers, his marriage with Martha Custis, and the inception of the business interests of plantation management and land purchases which were to engross so much of his time and care. The most noticeable feature is the entire absence of family letters. The two letters from the Lewis family are the nearest approach, and the placing of "Jacky" Custis in charge of Jonathan Boucher may also be classed as a family affair. A few letters from the overseers and shipping agents bring us near to the business side of Washington's character. Yet the collection as a whole is disappointing, containing so little to throw light upon his more intimate relations. It is to be regretted that the opportunity thus generously offered by the Colonial Dames was not used to gather the more interesting letters to Washington scattered in many public and private collections.

I have had occasion to comment on the methods pursued by Mr. Hamilton in editing these volumes, and there is no evidence of improvement in this latest issue. An editor assumes the responsibility of at least giving an intelligible text, and to plead a *verbatim* reproduction is no excuse for errors of the writer that make the meaning obscure. A

note of explanation is at least demanded. But Mr. Hamilton's omissions are not even open to this allowance and correction, and where palpable mistakes occur so frequently, doubt is cast upon the integrity of the whole text. Even bad writing and poor spelling will not account for such changes in names as are to be found in this volume. It was Adam Stephen, not Stephens, though Mr. Hamilton uses the latter in many notes and even in the table of contents. Why should "Levern and Stuart" (p. 247) become "Savern and Stuart" on p. 280; and "Fortin and Wing" (p. 182) be changed to "Fortin and Winey" on p. 192? Fairfax was a good writer, yet he is made to speak (p. 101) of the "London Flat" where "Fleet" is evidently the proper word. So *Spotward* (p. 87) is probably *Spotswood*; *St. Maloa* (p. 18) is correctly printed *St. Maloes* on p. 60; and *Oy*<sup>re</sup> (p. 170) should be *Off*<sup>re</sup>. These are but examples. Then did not Bouquet write of "entrenched camps" (p. 129) and not *extreme* camps, as Washington's reply uses the former term? Who was the *Gen.* Braxton mentioned on p. 187? Was it not *Geo.* Braxton? The William Gachen who wrote the letters on p. 267 was McGachen, and the Botomworth error for Bosomworth is repeated. The well-known *Colden* is printed *Colder* on p. 338, and the "&c" on p. 173 does not convey any meaning until made into "& I." Such carelessness is exasperating as it throws upon the reader the difficult task of testing the accuracy of the reading, and the frequency of error is a serious blot upon a very creditable undertaking.

WORTHINGTON CHAUNCEY FORD.

*Documentary History of the Struggle for Religious Liberty in Virginia.* By CHARLES F. JAMES, D.D. (Lynchburg: J. P. Bell Company. 1900. Pp. 272.)

UP to 1699 there was no religious toleration in Virginia. The English Parliament had, indeed, passed the Act of Toleration in 1689, but ten years elapsed before it went into operation in Virginia. After a period of quiet, persecutions began in 1768, and with them began the struggle for religious liberty, in which a complete victory was not secured till 1802. It is this period of struggle, 1768-1802, that is covered by Dr. James's volume; he has brought together in convenient form the principal documents bearing on the movement, from the journal of the Virginia assembly, the resolutions and petitions of various religious bodies, and letters and other writings of Madison, Jefferson and other statesmen of the time, appending comments on the documents. Thus the book is not a connected history of the movement, but it gives the materials from which the reader may form his own judgment. The several stadia of the struggle and the attitudes of the principal religious bodies of the state are set forth clearly. Naturally the Episcopalians, being the Established Church, were opposed to any change in the existing order. The Presbyterians also, affected by the traditions of the Church of Scotland, showed at moments an inclination

to favor the retention of some features of an establishment; in 1784 they favored a general assessment for the support of religion, but they withdrew from this position the next year, and in general were friends of liberty. The Methodists, who had as yet hardly separated formally from the Church of England, took no definite part in the contest. The Baptists were in the best position, by their history and their beliefs, to oppose all restrictions of the exercise of religion: they were the most radical of dissenters, and they had never had, as a body, any connection with the state. At the outset of the war they warmly espoused the side of the colonies, and thus found themselves in position to secure an extension of privileges; their petition to the Convention of 1775, that their ministers should be allowed to preach to their soldiers in camp, was granted. There has been a good deal of controversy on the question whether the Baptists or the Presbyterians took the lead in the demand for religious liberty in Virginia; the facts in the case are presented at length and in a spirit of fairness in this volume. It is asserted by Baptist historians that as early as 1775 the Baptists resolved to petition the convention for the abolition of the ecclesiastical establishment; but it does not appear that the petition was ever sent up. On this and similar points, such as the revision of the marriage-laws and the abolition of glebes, Dr. James is full and precise, and his volume will be found useful by all students of history.

C. H. Toy.

*The History of South Carolina in the Revolution, 1775-1780.* By EDWARD MCCRADY, LL.D. (New York: The Macmillan Co. 1901. Pp. 899.)

THE volume of Mr. McCrary's narrative broadens and strengthens as he progresses. This, the third installment of his work, fully justifies its claim to the leading position among our state histories. More than 850 pages are here devoted to the history of the Revolution in South Carolina from its beginning to the close of 1780. Another volume will be required to trace the history of the Revolution to its close. If he continues on this scale through the first half of the nineteenth century, he will have produced one of the most elaborate of existing treatises on American history. When this and other works on South Carolina already in preparation shall be completed and published, we may suppose that the political history of that commonwealth will have been more thoroughly explored than that of any other.

As in the period of royal government, so here Mr. McCrary finds no competitor of importance of later date than Ramsay's *Revolution in South Carolina*. The *Memoirs* of Drayton, Moultrie, Lee, Tarleton; Draper's elaborate study of the battle of King's Mountain, and the biographies of the commanders engaged in the conflict illustrate each its phase of the subject. But none of these is more than a special study or a contribution of original material. These, with other studies like them, are the sources

from which the author has drawn his facts, while in many parts he has added material from his own inquiries. This by criticism and comparison he has framed into a consistent whole. He presents a clear and reasonable view of the progress of the Revolution in South Carolina, one which is supported by the large array of facts which he cites. Very little help seems to have been derived from unprinted sources, while of those in print the memoirs of Drayton and the monograph of Draper have been used most extensively. It is true that, as the author states, he has followed Draper very closely in his account of all which concerns King's Mountain.

This volume, like the subject to which it is devoted, falls naturally into two parts. It is concerned first with the origin and development of the Revolution in the low country, the coast district of the province, among the merchants, planters and political leaders of that region. This preliminary act in the drama closed with the surrender of Charleston early in 1780. Then, owing to the mistaken policy of the British commanders, Clinton and Cornwallis, tragedy began in earnest with action in bewildering variety and succession, the rising of the upper counties with the partisan warfare which desolated them till the close of the struggle. This was the real Revolution in South Carolina.

The work is thorough, sane and well balanced throughout. The distinguishing feature of the first part is the clearness with which the author shows that by the great majority of the people even of the low country, not independence, but only a redress of grievances was consciously sought; and that their grievances were different in character from those of Massachusetts and far inferior in degree. A study of the characters of William Henry Drayton and Christopher Gadsden is given, which shows how remote their ideals were from those of the majority of their fellow-citizens but yet how by energy and address they seized control of the political machinery of the province and ran it in the interest of the Revolutionary cause. They were enabled to do this because of the concentration of political power in the lower counties. Still when in February, 1776, Gadsden, in the provincial congress declared himself in favor of independence, his utterance was received with astonishment and abhorrence. John Rutledge, the most trusted among the political leaders in Charleston, did not abandon the hope of reconciliation till the progress of the war in 1778 compelled him so to do. The reasons for the failure of the leaders of the coast to commit the up-country to the Revolution are made clear. The influence of action by the other colonies at Philadelphia and elsewhere and that of personal leadership and party conflicts in the state itself are noted. A critical, essentially a moderate loyalist attitude is maintained by the author in his discussion of the entire subject. His conclusion is—not unlike that of Ramsay's—"that the people of South Carolina without any original design on their part were step by step drawn into the revolution and war, which involved them in every species of difficulty and finally dis severed them from the mother country."



The leading feature of the second part of the volume is the fullness of detail with which the partizan warfare of 1780 in the upper counties is described. By no other writer has this part of the subject been treated with such minuteness. The outbreak of this conflict was due to the issue of orders by the British, after the state had been practically conquered, which compelled all to choose between imprisonment and active service on the side of the King. This effort artificially to stimulate loyalism, taken in connection with the brutality and greed of the English soldiery, forced the entire northern part of the state into insurrection. By the unaided efforts of the people, under leaders many of whom had no commissions, the progress of the British was checked, and the effects of the American defeat at Camden largely overcome. This proved the turning point of the war in the south, if not throughout the continent, and at least saved the South from ultimate submission to England. This explains the reason for the emphasis laid by the author on this phase of the subject, and for what he declares will be his continued insistence upon it when, in his next volume, he undertakes to describe the campaign of Greene.

With the above is connected a theory, elaborated in Chapter XIV. and elsewhere, to the effect that Washington, and the leaders of the Revolution in its early stages in South Carolina, were wrong in insisting that the chief dependence should be placed on a regular army, raised, paid and organized after the European model. This form of military force, the writer believes, was not suited to American conditions, and has been to a large extent abandoned by the United States in its later wars. What was needed instead was "an organization in which men of the highest character may serve in the ranks from patriotism, regardless of pay; an organization which, formed by enlistment for definite periods—sometimes for a whole war—combines the permanence of a regular force with the superior zeal and character of the patriot." South Carolina, in the opinion of the author, affords a vivid illustration of what may be accomplished by spontaneous popular effort. But it may be suggested that Washington's system made ample provision for the voluntary service of patriots, if they would only enlist in sufficient numbers and for sufficiently long periods of time. The fact is, a people cannot be depended on to do what was accomplished in South Carolina, or in Prussia during the War of Liberation, except under extraordinary pressure, when their homes and lives are actually imperilled. No sweeping conclusions can be drawn from such exceptional conditions. Other provision must be made for the continuous work of defense.

HERBERT L. OSGOOD.

*Loyalism in New York During the American Revolution.* By ALEXANDER CLARENCE FLICK, PH.D. (New York: The Columbia University Press; The Macmillan Co. 1901. Pp. 282.)

THE appearance of an unprejudiced and scientifically constructed work upon the subject of the Tory in the American Revolution is gratifying



to all who wish a right understanding of our national genesis. The author has approached his subject with a desire to know the truth, even though the results of his investigation may humble his pride in the patriotism of his ancestors. The work has been done in a careful and scholarly manner, but certain conclusions have been reached which do not seem justified by the evidence presented.

For example, Dr. Flick finds the origin of the Loyalist party in the aristocrats of 1689, the faction that opposed Leisler. This seems to be a mistake, for it can not be shown, I think, that these distinctions of the earlier revolution persisted for seventy-five years or more. It is true that there had been parties in the colonial history of New York, and doubtless their opposing leaders came from the same classes as the leaders of the Revolutionary parties; but the rank and file beyond question joined one party or the other only on the spur of the moment, influenced by some trifle, by personal spite, obstinacy, economic interest or by the influence of friends and family connections; their motives were in the main without roots in the past.

It is doubtful also whether, as the author asserts, "the colonial parties were primarily religious and social." In what purports to be a summary of the forces and influences which laid the foundation for the Loyalist party (p. 14), the economic causes are omitted though they are indicated elsewhere. As a matter of fact, he shows by his own accumulation of facts that economic interests more frequently determined party sympathy than did the religious or social influences. Even those who appear as religious champions were influenced by economic considerations. Many persons were dependent for their stipends upon the English Church; Anglican ministers led in pamphlet writing because they were defending their pecuniary interests, not because their religion was attacked. In brief, Dr. Flick seems to have laid too much emphasis upon the assertion that loyalism had a religious and political side; that men were loyal because the Anglican religion forbade rebellion and commanded submission in the last resort.

Of the social status of the Loyalist, Dr. Flick says that there were all grades of worth and unworthiness; royal officers, large landed proprietors, professional classes, wealthy commercial classes, conservative farmers, colonial politicians, and the conservative masses. He speaks of the official class as the nucleus about which the Loyal party rallied. The assertion is not quite accurate; the official class would naturally have formed the center of opposition to the Whigs, but they were in fact ineffective in staying the progress of the Revolution, because they failed to act without awaiting the initiative from the mother country. Moreover the nationality of the Tories is described as being in a "vast majority" English. This seems to be disputed by facts upon which the author has put some emphasis; the large number of Scotch in the Mohawk Valley, the Dutch of Long Island and New York City, made a large fraction of the loyal population. The lists of Tory names contained in the manuscript—"Transcript of Books and Papers of American Loyalists"—show a good proportion of men not English in origin.

The activity of the Tories is well portrayed. Their public protests against the progress of rebellion mark the earlier stages. Later they enlisted with the British, or formed militia companies, or fitted out privateers to help "free themselves with the aid of the Royal troops," as they expressed it. In New York Governor Tryon was very active in this work. As many as 15,000 Loyalists seem to have been enlisted in the British army, while 8,500 entered the loyal militia. This is compared with the 41,633 soldiers who joined the patriot ranks during the Revolution.

Dr. Flick has made an estimate of the number of Loyalists and has studied carefully the methods in which they were treated by their victorious opponents. He estimates the number of Loyalists in New York at 90,000, of whom 35,000 were exiled, while the rest accepted the new conditions and remained. At the beginning the Tories were variously maltreated by the mob; afterwards they were customarily brought before an inquisitorial commission of some sort, the Continental Congress, the Provincial Congress, a general committee on Tories, county or district committees. Those who were found guilty of aiding the enemy in any way were, on conviction, disarmed, outlawed, and compelled to retract, fined or similarly punished. Confiscation of property was also resorted to, and the author declares that the funds realized from confiscation in the state approximated 3,150,000 dollars in Spanish coin. The book likewise contains an elaborate treatment of the emigration of the Loyalists and of the compensation granted them by the British government.

It must be said that the author seems on the whole to have confined his exposition too much to the hard, concrete facts of the history, without giving enough attention to the spirit which animated the partisans. He does not exhibit their passions, their bigotry, their fierce zeal, their intolerance and abiding hatred. But the tone of the work is fair, and there is throughout the whole an atmosphere of trained scientific accuracy and of patience in thorough investigation. The proof reading was carelessly done, but such minor faults do not conceal a scholarly method of work.

C. H. VAN TYNE.

*The Life and Correspondence of Rufus King*, Comprising his Letters, Private and Official, his Public Documents and his Speeches. Edited by his grandson, CHARLES R. KING. Volume VI., 1816-1827. (New York: G. P. Putnam's Sons. 1900. Pp. 729.)

THE sixth and concluding volume of this series, covering a period of eleven years, or the "era of good feeling," is, as were the previous ones, remarkably full on the political side of our history, and curiously lacking in any other interests. In one of his letters, King dwells on the intellectual poverty of his country, remarking "the truth is we have no scholars," and his own correspondence, with its absolute absorption in politics, but bears out his statement and serves to illustrate the limitations



of American life :—a narrowness and concentration which doubtless had much to do with the development of the great statesmen of two generations, who with the broadening out of American life seem to have totally disappeared. In 1823 Verplanck notes that "leaders have less power over the party, whose views he may oppose, than formerly," nor are they able to excite the same party heats, but King's correspondents do not seem to have recognized that party feeling flows from the individual to the party, and not from the party to the individual. Especially is this marked in the present volume in the controversy over Missouri. King made himself the leader of the opposition to the admission of the state with slavery, asserting that, if it were permitted, "not only the Presidency, but the Supreme Judiciary, at least a majority of its members, will forever hereafter come from the slave region"; but he complains that the North did not support him. In this connection it is interesting to record an opinion expressed by Quincy, who advocates the allowance of slavery in the western states, because "unless it is permitted they would overrun the country and drive us all into the sea," a danger he hoped to escape by the inevitable weakening effect of slavery upon them (p. 273). An interesting contrast of opinion is furnished by that of King in 1818, that national assimilation had progressed to the point when "apprehensions concerning the divisions of the states may be safely dismissed; no nation being more homogeneous or more firmly united," to the prediction of Peters but two years later that there will presently be "three or four governments, republican or monarchical" in the space between the Mississippi and the Pacific. Another illustration of the value of political prophecy is King's assertion that there will be one free state north of Missouri, but that the "country further west is a prairie resembling the steppes of Tartary, without wood or water." In passing it is interesting to note King's plea to the New York convention to omit all reference to slavery in the Constitution then under consideration, because "the enslaving of black men may hereafter be forgotten; and should we not forbear to make our constitution a record thereof?" There is much concerning the independence of South America and the development of the Monroe Doctrine, the acquisition of Florida, the presidential election of 1824, the United States bank, the tariff and internal improvements. Although King was protectionist enough to even look forward to the absolute prohibition of foreign "coarse cottons and fine woollens," and had the "fullest confidence" that the time would come when the manufactures of our country will be "as greatly distinguished when compared with foreign manufactures, as our ships and mariners are now distinguished," he yet was able to see the danger that there will be a tendency to "encourage one branch of domestic industry at the expense of another; to tax domestic industry in the building and navigation of ships in order to sustain domestic industry in the raising and dressing of hemp, the making of iron, and sail-cloth." Curiously enough there seems to be no appreciation by any of King's correspondents of the importance of internal improvements in a party sense; that the West, strongly Democratic, was



more strongly for roads and canals is recognized again and again, and that the administration, equally Democratic, is as strongly opposed to such improvements, is often referred to; but the opportunity of the old Federalist party, pledged as it was to broad construction, to regain power by this means, is entirely neglected.

A parting word on a particular feature of the whole series is not amiss. While it is a misnomer to term the present work in any sense a "Life," one quality deserves particular notice. In all the collected writings of our great statesmen only the letters of each, with an occasional excerpt from some other writer, is printed, but in that under review the letters to King have been included, making it a work of peculiar completeness and value, and we venture to assert that no edition of the writings of the fathers can be truly satisfactory to the historian, or definitive, without this feature.

In closing the last volume of this very valuable collection it is regrettable to note certain misprints which do not seem to have been necessary, such as the confusion resulting from the Erving (p. 63) and the Ewing (p. 71); the twice turning of Gales, of the *National Intelligencer* into Gates (pp. 293 and 559); and the obvious mistake of *during* for *dining*, at page 453. Nor is the index by any means up to the otherwise high standard of editing.

PAUL LEICESTER FORD.

*The Autobiography of a Journalist.* By WILLIAM JAMES STILLMAN. (Boston and New York: Houghton, Mifflin and Co. 1901. Two vols., pp. vii, 743.)

THIS is the story of a wide experience and much adventure and vicissitude told with such frankness as suggests the *Confessions* of Rousseau, though here there is nothing shameful to relate. The most subjective parts are the most interesting and important, and these are to be found in the first volume to a much fuller extent than in the second. It is where Mr. Stillman is writing intimately about himself and the development of his own mind and character that his fascination is complete and it is hardly less so when he is writing of men well known to us in literature or art. It is where, as in the second volume, he is dealing with large events, of which he saw much, and was an active part, such as the insurrection in Crete and that in Herzegovina, that the interest of his narration sometimes flags. This is less the fault of the events than of the manner in which they are presented. The chapters covering them are mainly summaries and compressions of more elaborate treatments of the same subjects which Mr. Stillman has put forth in books and in his correspondence with one journal or another, and it is where his style is most expansive that it is most attractive; conversely it is least so where his narrative is most condensed. At points where the situation was most complicated he has a way of thinking underground and modestly assuming that his readers know quite as much as he does about Turko-Russian wars and politics. Yet these aspects of his book are, no doubt, those with which the AMERICAN HISTORICAL REVIEW should, as such, be



most deeply concerned. There is no doubt material here for the historian, and there are personal adventures in Crete and Montenegro which the picaresque novels of the time might borrow without loss to their most characteristic tone.

The wide range of Mr. Stillman's experience in his maturer years contrasts vividly with the narrowness of that enclosure of Seventh-Day Baptist thought and feeling in which his parents were born and bred, "a community of Bible disputants such as even Massachusetts could not show." This was in Newport, and we have a living picture of the mother as she was among the children and others of her father's family. One of her brothers being drafted into the militia service, she with her sisters, in twenty-four hours, caught and clipped a sheep, spun the wool, wove the cloth, and made up a suit of serviceable clothes in which to send the brother to the wars. There is much of such detail, but of more importance is the mother's spiritual portraiture, with features that the son inherited and which have been modified but not fundamentally altered by a religious development which ultimately brought him into spiritual companionship with Darwin and Huxley and their kind. Son after son she hoped would be a minister and in the case of William she clung longest to this hope, but she brought no urgency to bear. It was to be the Lord's doing, and marvellous in her eyes; no work of her own hands. Taken in its entirety the picture of the mother would justify these volumes, if they contained nothing else.

With fine indifference to mere facts and dates Mr. Stillman omits the date and place of his own birth, (Schenectady, N. Y., June 1, 1828), but the removal of the family from Rhode Island is made sufficiently plain. This meant that one of the boy's great teachers would be the forest and not the ocean, as it might otherwise have been. For assistant teacher he had his father, whose love of the woods, and especially of their animal life, was a conspicuous trait. We find the father utterly broken with grief over a parrot's accidental death. Yet he was not in most respects a tender-hearted man. His son did not find him so and "one impulse from a vernal wood" was remembered as of critical importance. This was a scourging inflicted by the father with two pear-tree switches of good thickness which were broken to the stumps over the boy's back, his shirt his sole defense. This for a good action which involved tardiness at dinner. Naturally the boy ran away, but when he came back there were no more floggings. We shall not go far astray if we derive much of Stillman's later wandering as a reaction from the harsh confinement of his early years.

An infant prodigy, an attack of typhoid fever in his eighth year made him a model of stupidity till he was fourteen. But the seven intervening years were years of nature-worship and of religious experience that left him with much to cherish, much to be outgrown. There was a period of utter misery with a brother in New York whose wife was mad with jealousy of anyone for whom her husband cared. Next came a few terms at the De Ruyter Academy where he had Charles Dudley



Warner for a school-mate, and he remembers him as full of delicate promise of the man he came to be. It was here that the mental fog broke up as suddenly as it had settled down. From the academy he went to Union College, his own wishes and his father's being overborne by the collective family wisdom, which was foolishness as Mr. Stillman sees it from the summit of his retrospective years. His college course spoiled him for an artist and he ultimately drifted into journalism, as a result of the facility for writing developed by his literary studies at Union. It seems possible that a purely literary life would have been better suited to his genius than journalism or art. His account of Dr. Nott, the president of Union, is one of many of his brilliant and effective characterizations. These include Ruskin, the Rossettis, Turner of whom he could say *vidi tantum* without meaning much, and the Cambridge set in America. The chapters on the famous Adirondack Club, which was of Stillman's institution, are of striking interest, and there is an amusing account of Emerson's gun which deterred Longfellow from joining the party. These chapters and that on Lowell invite comparison with Mr. Howells's reminiscences touching Lowell and Emerson and their friends. Norton and Lowell were friends in need to Mr. Stillman, whose pecuniary straits were of frequent recurrence. He was able to receive their bounty without loss of self-respect and one feels that those who have money cannot use it better than for the necessities of a man who has so much that is of greater value, but which is not marketable. "On a Mission for Kossuth" is a chapter which is not flattering to the Hungarian patriot nor to Mr. Stillman's practical judgment. The mission was a wild-goose chase for crown jewels in Hungary. Mr. Stillman's admiration for Ruskin was so great that he named his boy for him, the boy whose sickness and death furnish these volumes with their most pathetic episode. But this admiration made havoc of Mr. Stillman's career as an artist, putting him, following Ruskin, on the scent of nature when he should have been upon the scent of art. It was Mr. Stillman's connection with the *London Times* that gave him pre-eminently his standing as a journalist. Much about this and the *Times* editors is interesting; much also about Mr. Stillman's Roman consulate and that in Crete. But best of all is the self-portraiture, direct and indirect, of a profound idealist, whose life has not been successful measured by our popular standards, but has been immensely so measured by others which bring to life and character a more absolute and final test.

JOHN WHITE CHADWICK.

*The Government of Minnesota, its History and Administration.* By FRANK L. McVEY, Ph.D., Professor of Economics in the University of Minnesota. (New York: The Macmillan Company. 1901. Pp. 236.)

MR. McVEY's book is one of the numerous text-books on state governments which have appeared in recent years. The movement is a good

one, and can hardly fail to increase greatly both knowledge and interest in what was once a much neglected subject. The stories of the Pilgrim fathers and of the Revolutionary War were familiar to everybody, and the main features of the Federal Constitution and government were well understood. The more prosaic events which marked the development of states, however, and the method by which this coequal branch of our federal system was managed, gave little interest except to politicians and newspaper editors. Perhaps the great growth of national sentiment which came from the circumstances of the Civil War may have been an added cause for relegating the states to indifference. States' rights, the common man would say, had nearly destroyed the republic. Therefore he cared little for states and everything for the nation.

But the common man would be largely wrong in this view. It was not states' rights, but a mistaken view as to just what rights the states had, which led to the Civil War. That under the Federal Constitution there are some rights, many rights, which belong exclusively to the states, and with which the federal government may not legally meddle, is incontestable. That secession from the Union is one of those rights, the war has answered in the negative. That the states are sovereign, in the sense that they are in constitutional possession of many powers which commonly mark independent nations, is beyond dispute. That states are sovereign in the sense in which independent nations may be so called, in other words that states are legally entitled to all sovereign powers, is, and from the first was, utterly wrong. But on the other hand that the federal government is a sovereign government in that same unlimited sense, as the Supreme Court seemed inclined to regard it in the case of *Juilliard vs. Greenman*, is also utterly wrong. In short, we need that our notions of the states and their place in our system should be defined with scientific precision. In order to do this we need a better knowledge of what the states are, of what they have done, and of what they are attempting to do now. Such books as the one under consideration are calculated to give just that knowledge.

The first ten chapters of the volume are devoted to an outline of the history of Minnesota. It has features of peculiar interest. The French were the first white men within the limits of the state—the adventurous Daniel Graysolon, *Sieur Du Lhut* (whose name has been preserved in the prosaic English form “Duluth”), and the mendacious Franciscan monk, Father Hennepin, being the best known of the early explorers. Later the fur traders penetrated the forests and lakes and floated on the rivers of Minnesota, their rivalry culminating in the long struggle between the Hudson Bay Company and the American companies. In 1822 Fort Snelling was built and garrisoned, and an enterprising commandant of that post sowed a little wheat, to ascertain if indeed that cereal could be raised so far north. Fort Snelling is connected with the famous *Dred Scott* decision of the Supreme Court. *Dred* was the slave of an army surgeon, and was for some time at the fort with his master, and hence in the territory bought of France north of the Missouri Compromise line.

The settlement of Minnesota shares with that of the other northwestern states in some features of exceptional strength. The northern parts of Ohio, Indiana and Illinois, with all of Iowa, Wisconsin and Minnesota, had a large initial immigration from New England and the old middle states. The foreign born immigrants are largely from Germany and the Scandinavian lands. The result is a stability and force among the people which give a very sterling character to social development. Minnesota has no room for social and political vagaries.

The material wealth of the state has come from the mine, the forest, the field and the mill. Valuable iron mines skirt Lake Superior, great pine forests covered the northern counties, immense wheat fields and the greatest flouring mills in the world have poured out riches without stint.

The major part of Mr. McVey's book is, of course, devoted to a description of the Minnesota government. This presents few unusual features, the main principles being those common to all the states. But Minnesota shows the vigor of its intelligent population in many devices which make for good government. The Australian ballot, the Torrens system of land registration, a corrupt-practices act, these are on the statute books of many states. High license and the so-called patrol limits are the Minnesota method of regulating the liquor traffic. City government in Minnesota is an extreme development of the principle of home rule—going even further than in California, and much further than in New York, with its paltry local veto. In Minnesota cities may frame and amend their own charter, subject only to some general provisions. City councils, under the general law, are composed of aldermen chosen partly from wards and partly at large. In ordinary cases a three-fourth's vote of the council is necessary to overrule the mayor's veto. In some cases, however, a unanimous vote of the council is required for that purpose, and in still other cases the mayor's veto is absolute. The general law also provides for what Mr. McVey calls "Civil service"—in other words, for the merit system in the city civil service. Primary elections are also protected by law in a very drastic way.

Minnesota is a young state. The Sioux massacre of 1863 did not happen so long ago as that of Wyoming, and Gen. Sibley's campaign of punishment is more recent than the Pequot war. The ten thousand lakes of the north star state are quite as beautiful as those of Maine or the Adirondacks, and the falls of Minnehaha (which Longfellow never saw) still splash with the song of Hiawatha. Minnesota blood was poured out freely on the battle fields of the Civil War—few deeds ring more like a trumpet call than the charge of the First Minnesota at Gettysburg—and it was quite as red as that shed behind the breastworks on Breed's Hill. Ramsay and Windom and Cushman Davis are names well known at Washington, and the Minnesota State University with its 3,700 students is one of the most efficient and one of the largest institutions of learning in the country. It is a state worth knowing, and Mr. McVey has sketched it with a true hand. Some day a historian should treat of Minnesota on large lines, as a typical American commonwealth.

HARRY PRATT JUDSON.



*The Police Power of the State and Decisions thereon as Illustrating the Development and Value of Case Law.* By ALFRED RUSSELL, LL.D. (Chicago: Callaghan and Co. 1900. Pp. 204.)

FIFTEEN years ago, Professor Tiedeman, of the University of Missouri, published a bulky volume on the *Limitations of Police Power in the United States*, with the aim of showing that legislative absolutism was under stronger restraint here than in any other country. Mr. Russell has taken up the subject from another point of view. He makes use of the history of our dealings with the police power as illustrating the efficiency of the American courts in determining the limits of legislation by the effect of its opinions, no less than by its judgments. To set aside a statute as an unconstitutional exercise of the police power is one thing: to justify the action by a well-reasoned argument is another, and such an argument, coming from the highest possible source of human authority, carries a double weight. Statutes, however, are seldom thus set aside. The judiciary ordinarily is found supporting the action of the legislative department.

Mr. Russell is no friend of codification. He quotes with approval these observations made by Lord Esher in 1897, when retiring from the bench: "The law of England is not a science; it is a practical application of the rules of right and wrong to the particular case before the court. And the canon of law is that that rule should be adopted and applied to the case which people of honor and candor and fairness in such a transaction would apply to each other. Now, if that be so, if any supposed rule of law is put forward which would prevent the rule of right being applied, the supposed rule of law must be wrong." It is from the records of this practical application of the rules of right and wrong to particular cases that Mr. Russell has made up his book. It is a chapter of judicial history.

The evolution of the doctrine of freedom of contract is sketched at some length. It is here that American courts have, of late years, pushed their power farthest, in setting aside acts of legislation. As applying to the relations of labor to capital and of organized labor to unorganized labor, it is a subject of deep interest to the economist, and this treatise puts the present state of the law before him in a convenient form.

The Fourteenth Amendment to the Constitution of the United States necessarily claims also a large place. It has reconstituted the relations of the states to the United States in respect to the police power, and extended enormously the sweep of federal jurisdiction. This the author is disposed to welcome, in view of the fact that, according to his estimate (p. 189), nine-tenths of the statutes passed by the states in 1899 were enacted in the exercise of the police power, and in support of the theories of the populist against the interest of the property owner.

Mr. Russell writes in a clear and scholarly way, and has selected his authorities judiciously. His general conclusions are these: "What-

ever is contrary to public policy or inimical to the public interests, is subject to the police power of the State and is within legislative control. And, in the exercise of such power, the Legislature is vested with a large discretion, which, if exercised *bona fide* for the protection of the public, is beyond the reach of judicial inquiry."

SIMEON E. BALDWIN.

While the question of a monographic history of the United States, discussed by the American Historical Association at its last meeting, is still undecided, a monographic history of France, of very nearly the plan and scope proposed for the American undertaking, has begun to appear under the general editorship of Ernest Lavissee (*Histoire de France depuis les Origines jusqu'à la Révolution*. Paris: Hachette). The list of collaborators reaches thirteen names, all of approved scholarship and some of them scholars of the first rank. The volumes which have already appeared give us every reason to hope that we are about to have, what has been long so much desired, a history of France, not too detailed but on a plan broad enough to include all departments of the national life and fully abreast with the best results of modern investigation. Such a work will be warmly welcomed, not merely in France but throughout the reading world.

The plan provides for eight volumes of something more than 800 pages each, which will appear in half volumes, and of these four have already been published: Vol. I., Pt. II., on Gaul before the Franks by Professor G. Bloch of the University of Lyons, and Vol. II., Pt. II. and the whole of Vol. III., covering the history from the beginning of the continuous Capetian period to 1328, the first two half volumes to the death of Louis VIII. by Luchaire, and the third by Langlois. The price of each half volume is six francs. The general history of civilization—institutional and social history are to be covered as well as political history. Not quite so much attention is given to bibliography as in the *Histoire Générale* of Lavissee and Rambaud, but the best monographic studies are noted with some critical remarks, and notes of a supplementary sort, that add detail to the text or give reasons and evidence for conclusions, are more numerous than in the *Histoire Générale*.

Vol. I., Pt. II. opens with a brief account of prehistoric France. It is slightly more full on independent Gaul, and devotes three quarters of the volume to Gaul under the Romans. As would naturally be expected the political history of this period receives less attention than the history of civilization, and the treatment of the Roman government is especially detailed, particularly that of the local government and of the "city." Taken as a monograph by itself, independent of its relation to the rest of the series, the book would form a very useful manual on Roman Gaul, on the organization and government of that province through which Roman institutions were destined to the most permanent influence on later Europe. Searching reviews by specialists have discovered very few errors



in it, and the Academy has pronounced its judgment in its favor by awarding it 1500 francs from the prize Théroutanne.

The period which has been assigned to Luchaire, from 987 to 1226, is that which he has made peculiarly his own and the institutional history of which is treated in his well-known books. Here the account of the political history, which occupies about one half of the whole space, meets a greater present need, and of this the portion devoted to the reign of Philip Augustus is of especial value. On the other side, the ecclesiastical organization and feudalism receive the most attention, and an unusual and useful feature is the full history of the great local feudal dynasties. Less space is given to the communal movement than would have been expected.

Of the period of Vol. III. Pt. II., from 1226 to 1328, it is peculiarly true that a general account combining the results of scattered monographs, until now not brought together in any trustworthy summary, is welcome. Langlois does more than this, however, for the book is in many respects an independent study. Particularly noteworthy are the thorough analysis of the character of St. Louis—an impartial balancing of his piety, justice, and righteous intentions with his occasional deviations from the path of wise policy: *Il est peut-être le seul roi honnête homme qui, respecté de son vivant, ait été mis après sa mort au nombre des grands rois*; and the account of the conflict between Philip IV. and Boniface VIII.—the Pope yields completely in the first conflict, the bull *Ausculta fili* was probably burnt but it was by accident, the parody of the Pope's bull and the pretended answer of the King, about which doubt has been expressed, were certainly put in circulation, the bull *Unam sanctam* is authentic, there could have been no meeting between Philip and Bertrand de Got before the election of the latter to the papacy but there was undoubtedly an understanding between them. The war between Philip IV. and Edward I. is passed over very lightly, but Langlois inclines to the view of English scholars that Edward was made the victim of a trick of Philip's in the formal surrender of Guienne at the beginning of the war. The intellectual and artistic movements of the time, including the universities, have chapters to themselves, and in his chapter on the French society of the thirteenth century Langlois allows in great part the romances to speak for themselves with interesting results.

The objection that is frequently urged against the monographic plan for writing the general history of a nation, that differences of style and method of treatment would seriously affect the unity of the work, does not lie to any extent against this work so far as it has yet appeared. The style of these writers is plain, straightforward, and business-like. No attempt has been made to create a great literary work, or to treat history as a branch of the fine arts, or to unfold the drama of humanity. But pains have evidently been taken to give a simple and clear account of the facts as they were, free from confusing detail, in all the chief departments of national activity, and with success. Those who are interested either for or against the plan of a similar history of the United

States will probably find it instructive to study this work as it appears. If it should be continued, as it is likely to be, on the same scale and with the same standard of accuracy and interest, it should be made accessible to English readers. It could perform a mission of great usefulness in taking the place of Guizot as a library history of France.

The fourth part of the well-known *Grundriss der romanischen Philologie* edited by Professor Gustav Gröber is devoted to the history of the Romance peoples. Besides brief chapters by Schultz on the history of Romance culture and art, and by Windelband on the history of science among the Romance peoples, it contains a very useful discussion of the *Quellen und Hilfsmittel zur Geschichte der romanischen Völker im Mittelalter* by Professor Harry Bresslau of the University of Strassburg.

C. H. H.

Professor F. W. Maitland has performed a welcome service to students of the history both of political theory and of law by translating from the third volume of Professor Otto Gierke's *Das deutsche Genossenschaftsrecht* the section entitled *Die publicistischen Lehren des Mittelalters*. This he has given us in English under the title *Political Theories of the Middle Ages*. (Cambridge: The University Press. New York: Macmillan.) Dr. Gierke's main subject is the legal doctrine of corporations, and his object is to defend the original German conception of "fellowship," as Mr. Maitland translates *Genossenschaft* against the theory of "fictitious personality" which took its place at the time of the reception of the Roman law. The section translated is a review of the ideas held in the Middle Ages regarding the State, Church and State, political organization, sovereignty, the monarch, the people, popular sovereignty, representation, the personality of people, Church and State, etc. It is of special interest that we are given a discussion not merely of the ideas of the theorists, but also, in so far as they became matters of record, of those of the statesmen and churchmen, especially of the latter, who created institutions and determined the direction of their growth. While Mr. Maitland's Introduction is addressed rather to the lawyer or to the student of political theory than to the student of history, it is interesting and stimulating as everything is that he writes, and the text and notes are full of suggestion of direct historical bearing.

Dr. Felix Liebermann continues the publication of his studies preliminary to the third part of his *Gesetze der Angelsachsen* with a paper on the *Leges Henrici Primi*, dedicated to the memory of Bishop Stubbs. In one particular at least, the present publication rivals in interest the remarkable study of the *Quadripartitus* published some years ago. Dr. Liebermann identifies the author of the *Leges Henrici* with the author of the *Quadripartitus*, and does so with a wealth of evidence that carries conviction with it. The place, time and purpose of the composition; the age, nationality and profession of the author; his attitude towards the contemporary conflict between Church and State, and towards the court, government and governmental policy; his view of the institutional

relation of his own time to the Anglo-Saxon; the evident use of the *Quadripartitus* in an unfinished form, as well as in later recensions; the use of the same foreign authorities on Frankish and canon law; and similar peculiarities of style and use of unusual words, of which a long list is given, these are some of the evidences of a common authorship. Dr. Liebermann thinks it probable that the writer originally intended the *Leges* for the promised third book of the *Quadripartitus*. A conjectural biography of the author, based on facts and inferences drawn from both books, forms a most interesting conclusion to the two studies. The thoroughness of Dr. Liebermann's investigation of all questions connected with these texts in one way reconciles us to the long delay in their publication, but in another it increases our impatience. G. B. A.

*Histoire de l'Université de Genève*, I. L'Académie de Calvin, 1559-1798. Par Charles Borgeaud. (Genève, George et Cie, 1900, pp. xvi, 664.) This work was undertaken at the instance of the *Société académique de Genève*, an association of friends of the university, who desired to bring forward the educational history of the city for the national exposition of Switzerland in 1896. The task proved too great for the time allowed and it was perhaps better that a volume of such importance should appear later when due attention could be given to it. The work is a monument of erudition and is printed and bound in a form of sumptuous dignity, worthy of a great institution of learning. Numerous full-page portraits represent the more famous men who have held chairs in Geneva, and many facsimiles of documents add interest to the narrative.

After a brief introduction to the earlier history of the University of Geneva, the author proceeds at once to the work of Calvin, the real founder of the modern institution. The inauguration of the "college and university" occurred in 1559. At the death of Calvin, five years later, there were 1,200 pupils in the college and 300 students in the university.

The author divides the history into four great parts: I. The work of Calvin; II. Theodore Beza; III. The reign of Theology; IV. The Century of Philosophers. In each of these epochs the university works in a different atmosphere, but the list of famous persons who taught within its walls grows continuously from beginning to end.

Of interest to American scholarship is the account of the negotiations with Jefferson for the removal of the university to America. During the French Revolution the professors became anxious as to their fate and as to their freedom of speech. About that time Jefferson was founding the University of Virginia and was looking abroad for professors. He was particularly pleased with Edinburgh and Geneva and thought seriously of importing the whole faculty from the latter place to the country. Other counsels prevailed. The author has employed some hitherto unpublished data in connection with the studies of H. B. Adams on this subject. Throughout the whole work Professor Borgeaud has added to his reputation for skill in profound research.

J. M. VINCENT.

*The Rise of the Swiss Republic: A History.* By W. D. McCrackan, M.A. Second edition, revised and enlarged. (New York: Henry Holt and Co., 1901, pp. viii, 423.) Mr. McCrackan approached the history of Switzerland after considerable length of residence in the country. His early education in the schools gave him ground upon which to base the observations of his maturer years. He had already written entertainingly upon the traditions and anecdotal history of places in Switzerland before publishing this more serious work in 1892.

For convenience of treatment the author has divided the volume into five books. These correspond in a measure to as many periods in Swiss history, but one must not insist on finding a logical consistency in all cases, for the subject is not so easily subdivided. Mr. McCrackan is right in not devoting much space to the prehistoric and Roman periods. Archæologically speaking, the Lake Dwellers, the Helvetians and the Romans are intensely interesting, but in the development of the Swiss Republic they had perhaps less to do than the geologic ages which preceded them. The nation is founded on Teutonic ideas and the real history begins with the Alamannic invasion.

Book II. develops the formation of the primitive leagues of three into the confederation of eight small states. In this part the author's account of the legend of William Tell will be interesting to readers who desire examples of tradition transformed for a time into history. Under the Confederation of Thirteen, Switzerland became the fighting nation of Europe. It held the balance of power by lending its soldiers to the neighboring countries in turn, and expanded its territory somewhat at their expense. Yet Swiss government was of the frailest sort, giving the author occasion to make interesting comparisons with the American colonies.

The chapters on the modern constitutions give opportunity for further comparison, and Mr. McCrackan finds in Switzerland numerous institutions which might be adopted in America. These are summed up in the last chapter on Twentieth Century Switzerland, which is the enlargement of the book. Otherwise the volume is reprinted page for page. The bibliography is comprehensive, but contains no literature later than 1892. The translation of the Federal Constitution omits four important amendments.

J. M. VINCENT.

*Letters and Papers of Admiral of the Fleet Sir Thos. Byam Martin, G.C.B.*, edited by Sir Richard Vesey Hamilton, G.C.B., Admiral. Vol. III. [Publications of the Navy Records Society, Vol. XIX.] (London: printed for the Society, 1901, pp. xxii, 399.) The interest of this volume is of a quite different sort from that of Volume II. The latter was occupied with the naval events of the great Napoleonic war. The present volume, though it contains a few pieces which belong to the year 1814 or to the Hundred Days, is practically a record of naval administration during years of peace. Indeed the correspondence, which occupies the first half of the volume, extends from 1814 quite to the end

of the long years of peace in 1854 and to the naval preparations for the Crimean War. From 1815 to 1831 Sir Byam Martin was comptroller of the navy and head of the Navy Board. His letters during these years show us an energetic, capable, upright, intelligent and open-minded official, and illustrate many interesting points of naval administration and procedure. In 1831 Lord Grey's ministry, in which Sir James Graham was first lord of the Admiralty, displaced him on political grounds. Martin's account of the transaction is a very spicy one, and, though of course *ex parte*, is sufficiently supported by documents to cast a strong light on the manner in which a reform ministry may deal with even non-political offices. Martin, who held one of the seats for Portsmouth, would not promise to aid the government by opposing Sir George Cockburn in his contest for the other seat; and this soon led to his removal, much to the grief of the Sailor King.

From this time until his death in 1854 Martin continued in retirement. The letters show that his high rank, distinguished services, clear head and honorable character caused his advice to be sought, upon a variety of points, by friends still actively engaged in the service. More interesting, though quite too miscellaneous for review, is a body of "Reminiscences and Notes," extending as far back as Lord Keppel's acquittal by court-martial in 1779, and embracing many entertaining anecdotes flavored with salt and with high toryism. Mention should also be made of an account of the affair of Basque Roads (April 1809) derived from the intercepted papers of an officer on board the French flagship; and of a series of Arctic letters which Sir John Ross wrote to Martin at Prince Regent's Inlet, 1830 to 1833, which he left there when, hardly expecting to escape, he abandoned his encampment there, and which were brought to England by a whaler ten years later.

Admiral Vesey Hamilton's notes, the intelligent comments of a modern admiral, add much to the interest of the book.

*The History of Suffrage in Virginia*, by Julian A. Chandler (Baltimore, Johns Hopkins Press, 1901, pp. 76), is a chapter of a larger work on the constitutional history of the state which the author has in preparation. After a hurried and somewhat unsatisfactory treatment of the laws in force before 1830, the steps are more carefully traced by which manhood suffrage was finally established. The difficulties of the Reconstruction period are presented in clear and simple form and with apparent fairness. The reader is impressed with the antithesis between the Eastern and Western sections of the state and with the fact that the democratic movement found its strength in very large measure in the frontier portions of the community. The severance of West Virginia from the Old Dominion can be readily understood by anyone who appreciates the differing sentiments of the people as they appear in the discussions on the subject of suffrage at various times in the history of the commonwealth. One or two statements are open to criticism. It is not strictly correct to speak of Monroe as a "representative of the American Government in

France at the opening of the French Revolution" (p. 27). It is also incorrect to say that Jefferson's *Notes on Virginia* appeared in 1783. If the writer is to prepare a thorough constitutional history he must cast aside the idea that the Virginians of 1776 did not understand "the meaning of their famous Declaration of Rights which declared that 'all men are by nature equally free and independent'" (p. 22). This phrase does not mean that all men are entitled to the right to vote, but that when they were in a state of nature they were equally free and independent.

The statute requirement of the State of West Virginia that local history and local government should be taught in the public schools of the state is responsible for *The History and Government of West Virginia*, by Richard Ellsworth Fast and Hu Maxwell (The Acme Publishing Company). However laudable this desire to perpetuate local history, now being adopted by many states, the results must vary in accord with the quality and quantity of historical material at the disposal of text makers. The civil government portion of such a book finds no difficulties of this kind and at the same time is more evidently justifiable.

West Virginia as a state made from a state and as the border or buffer for the old state against transmontane foes does not lend itself readily to such a proposition. It is a gruesome tale which the authors have made; a long list of Indian uprisings, massacres, and burnings. One questions the advisability of preserving these sanguinary details at the expense of an overcrowded school curriculum. It may be that military history appeals more to youth than the simple story of the conquests of man over nature, but as one reads the eighty pages of this recital, one wishes that the manners and customs of the courageous ancestors of these West Virginia boys and girls could have occupied more than six pages; that the gradual development of the natural resources of the state had been described; that the influence of topography on the movements of the people had found more space; that the interesting colonial history of old Virginia might have been considered more of a heritage for the West Virginia of to-day; and especially that the people of the mountain part of the state might have been considered part of the great history of the Old Dominion before the Rebellion.

In proof of what might have been done by the authors, the best writing in the historical part of the book is contained in the descriptions of tide-water and up-land Virginia, as two separate peoples for many decades before separation. One fifteenth of the money represented in the bonded debt of the state had been spent in the mountainous regions. The story of the separation is also clearly told.

Although the authors are presumably correct in their local history, there are a number of questionable statements when they touch on general United States history. The proclamation of 1763 finds foundation for its refusal to allow settlers in western country in the fact that they should wait "until the land should be purchased from the Indians,"

rather than in the statement of the proclamation itself, namely, that they "should not be molested or disturbed" in their possessions. Most present-day writers will not agree with the statement that the Quebec Act was passed "for weakening the colonies," and "to rob Pennsylvania and Virginia of their western lands." Fewer will include Pennsylvania in the list when the act specifically runs the line "thence along the west boundary of the said province."

George Rogers Clark appears as George *Roger Clarke*, that spelling of the family name being frequently repeated. Logan appears as "Lagan." No doubt this is one of the many errors in proof-reading which abound. The statement is made (p. 439) that the colonies became free on the fourth day of July and on the same day resolutions were brought forward for the formation of a confederation. Perhaps desire to prevent confusion in the minds of pupils may account for dating independence from the declaration rather than the motion, but that cannot justify setting forward the date of bringing in the draft of the Articles from July 12 to July 4. Some confusing inconsistencies appear, as when the unauthorized occupation of the northern forts by the British is first stated as lasting "more than ten years" and in the next paragraph as "two years later" than 1783.

The description of the parts of local government of the state seems to be well arranged and within the comprehension of children. A brief and rather inadequate description of the workings of the national government completes the volume of over 500 pages. The use of cheap paper or printer's ink which allows the type to show through in places, the appearance of "quads" or "spaces" in the line of text, and the presence of such a blot as obscures the text on page 495 are deplorable in a textbook where a due regard for the eyesight of pupils should demand an unusually clear print.

EDWIN E. SPARKS.

*A History of Adams County, Ohio*, by Nelson W. Evans and Emmons B. Stivers (West Union, Ohio, E. B. Stivers, pp. viii, 946), is a work of more than local interest. The most important remains of the Mound-Builders, the early navigation of the Ohio River by pioneers through the country of the Shawnee Indians, the surveyor's share in developing the Northwest Territory, the erection of the first counties in the territory, and the setting in operation of the first county and township governments, preface the more ordinary matters, such as tales of pioneers, records of courts, and of executive authorities, military rosters, and biographies of leading citizens. The authors have produced a volume of nine hundred and twenty pages, and have divided their work into four parts. Part I. is a history of Adams County as a whole followed by histories of its several townships; Part III. is devoted to pioneer sketches and Part IV. to biographical sketches. The first of these parts contains much material of general interest, though it would be of greater value to the student of the history of the Old Northwest if the larger matters were treated in a more compact form with less intermingling of personal affairs. This portion



of the work is written from the Jeffersonian point of view taking the side of Nathaniel Massie and Thomas Worthington against Governor St. Clair and the Federalists. The authors clearly show how it came about that the veto power was withheld from the governor in opposition to St. Clair's claims. The history of this early period is accurate and makes very extensive use of the first-hand records. If the more strictly local matters of the later parts of the work are equally free from error, the book is one of the best of its type. M. L. H.

*Congressional Grants of Land in Aid of Railways.* [Doctoral dissertation, University of Wisconsin.] By John Bell Sanborn, Ph.D., Madison, 1899, pp. 130. This monograph has several merits. In the first place, it treats the question of congressional land grants in aid of railways as a part of the general land policy of the United States. In the second place, it treats this question in its connection with the homestead laws, with tariff legislation, and other political and public questions which claimed the attention of Congress during the land grant period. It is also a merit of the monograph that it is the work of a student of the history of legislation rather than of a student of transportation. By this I would not be understood as saying that the latter topic is less instructive in itself than the former, but it is a satisfaction to read a monograph, especially one presented as a doctor's thesis, which confines itself to a single line of investigation. Were I to indulge in a critical suggestion, it would be to the effect that the author fails to appreciate the political significance of the Pacific railroad grants as keenly as he appreciates that of the first great land grant, namely, the grant to the Illinois Central Railroad. The error in this case, if it be an error, arises from the fact that he relies for his impressions almost entirely upon the recorded debates of Congress. It is probable that the political considerations which lay back of the Pacific railroad grants touch a larger number of interests than those of any other grant made by Congress. But it was not possible under the conditions of the time that these considerations should have been always expressed. This monograph is well worthy a prominent place in the library of the student of American history or of transportation, for it presents in concise and orderly manner the main facts relating to railway land grants. HENRY C. ADAMS.

*The Report on Canadian Archives for 1900*, by Dr. Douglas Brymner, archivist of the Dominion (Sessional Paper No. 18 for 1901, pp. 418), continues his calendars of state papers for Upper and Lower Canada, respectively, from 1832 to 1835. Certain papers on education and emigration are printed at full length. The copies of state papers for the Canadas, down to 1840, have been received and made accessible at Ottawa. Copies have also been completed of the Bougainville papers, sent from Quimper, Brittany, by Mme. de Saint Sauveur Bougainville and M. de Kerallain.



## COMMUNICATION

Through my own carelessness I overlooked the note printed on p. 181 of the issue of the REVIEW for October, 1900, but I trust you will permit me to give some reasons for not regarding it as conclusive. While the particular items are of little importance in themselves, they illustrate what I believe to be one of the cardinal rules of good editing of original material. And first as to the name which Mr. Hamilton insists is Botomworth. In the *Official Army List*, issued by the British War Office, the name is given as Bosomworth. In the *Correspondence of Horatio Sharpe*, of Maryland, it is printed Bosomworth. In the *Bouquet Correspondence* there are five letters from Bosomworth; in two of Bouquet's own letters Bosomworth is mentioned, and in one of Loudoun's letters the name is Bosomworth. Now, Mr. Brymner and his copyists could not have had any interest in making the spelling of so unimportant a man uniform, and the references are widely separated in his *Calendar of the Bouquet Papers*. In my opinion a conscientious editor would first examine contemporary readings of the name before introducing an entirely new reading, one not to be found in any work of standing, and one that seems to rest simply upon the guess of the editor. I cannot regard the tracing as conclusive when the weight of evidence is so strong on the other side.

Then as to the spelling of the word Conococheig. The Indian names of places have been almost as badly treated as the Indians themselves, and have been often mangled beyond recognition. Yet even in such cases a general rule of treatment will be of service as indicating a common pronunciation, to which in cases of doubt the spelling may be made to conform. In the many different ways of spelling this particular word, by far the largest number point to a last syllable cheig, cheague, cheeg, or a *k* in place of the *g*, that is, the last syllable has an *e* sound. Under these circumstances an editor is, in my opinion, justified in reading this *e* sound into the most variable spellings, provided the proper number of strokes of the pen are present, or with some such basis to rest a change upon. Therefore, whenever the tracing shows two strokes of the pen, they should be read as *ee* or *ie* or *ei*, as these letters express the sound which the general consensus of forms shows. To introduce a *u* is to do violence to the text and mislead unnecessarily the reader. My complaint has been that Mr. Hamilton goes out of his way to read strange forms into the text before him, and especially proper names. The two items given are but samples of what appears to me to be his carelessness, for he has not adduced a single good reason why he read a doubtful letter into Botomworth, or refused to recognize the general acceptance of the *e* sound in the name of the place.

WORTHINGTON C. FORD.

## NOTES AND NEWS

The seventeenth annual meeting of the American Historical Association will be held in Washington, Friday, Saturday, Monday, and Tuesday, December 27, 28, 30, and 31, beginning Friday evening and closing Tuesday noon. The American Economic Association will hold its meetings at the same time and place, and arrangements have been made for two joint sessions of the societies, one for the addresses of the presidents and another for the discussion of some subject of common interest. Besides the business meeting and the meeting of the church history section, it is expected that there will be four general sessions of the Historical Association, devoted respectively to European history, general American history, Southern history, and some topics connected with the teaching of history and the preservation of historical records. Preliminary programmes will be sent out early in November.

John Fiske, without doubt deservedly the most popular historical writer in America, died on July 4, at East Gloucester, Mass. He was born in 1842 at Hartford, Connecticut, and showed as a child a surprising precocity in the same lines in which as a man he won distinction, mastering with equal ease Greek, Latin and all the modern languages, mathematics and the classic English writers at an age when most children are in their spelling books. Graduating from Harvard in 1863, he took the two years' course in the Harvard Law School, but did not enter upon practice. From 1869 to 1879 he was connected with Harvard University, first as lecturer on philosophy, later as instructor in history and for the last seven years as assistant librarian. After 1879 he devoted himself to historical and literary work and especially to lecturing, in which he won an extraordinary success. He wrote voluminously on philosophical, theological and historical subjects besides contributing many brief articles in literary and scientific fields, his greatest single work being the *Outlines of Cosmic Philosophy*, in which as a disciple of Darwin and Spencer he applied the evolutionary idea to the existing universe. As an historian his work lay in the field of early American development. Here with unusual charm of style and a grasp of facts which increased in depth and certainty as successive volumes appeared, he produced in irregular order a series of books which covers the years from the discovery of America to the adoption of the Federal Constitution. Their titles are: *The Critical Period of American History*, 1888; *The Beginnings of New England*, 1889; *The American Revolu-*

[The department of Notes and News is under the general management of Earle W. Dow and Theodore C. Smith.]

tion, 1891; *The Discovery of America*, 1892; *Old Virginia and Her Neighbors*, 1897; *The Dutch and Quaker Colonies*, 1899; and *New England and New France*, which was unfinished at the time of his death. Other historical books are: *Civil Government*, 1889; *American Political Ideas*, 1885; *A History of the United States for Schools*, 1894, and *The Mississippi Valley in the Civil War*, 1900. Mr. Fiske's works covered familiar fields and are not, and were not intended to be, works of erudition; but they are based on a wide study of sources as well as secondary authorities and are of the highest value as popular histories from their breadth of view, fairness, frankness and unequalled clearness of exposition. His death while in the prime of his working powers is a grave loss to American historical writing.

Professor Herbert Baxter Adams, for nearly a quarter of a century at the head of the Department of History at Johns Hopkins University, died at Amherst, Massachusetts, on July 30. He was born in Shutesbury, Massachusetts, in 1850, graduated at Amherst in 1872, and then took the degree of Ph.D. at Heidelberg. Returning to the United States he began at once his long connection with Johns Hopkins University which was terminated only when ill health forced his resignation last year. Professor Adams was a voluminous writer, though his work was mainly monographic, his one long book being the *Life and Writings of Jared Sparks*, published in 1893; but his influence and his interests lay more in organizing and inspiring than in historical production of the ordinary kind. His activity in his own sphere was such as to make him one of the moving forces in American university life. At Johns Hopkins he created a school of vigorous historical study whose graduates are to be found in all parts of the United States, but this was by no means the limit of his influence. By his monographs in the years 1881-1885 on the *Germanic Origin of New England Towns* and related subjects he kindled an interest in the study of local institutions. He wrote and talked frequently on methods of historical study, the teaching of history, on public education, on university extension. He edited the long and successful series of *Johns Hopkins University Studies*, and, for the United States Bureau of Education, the series of volumes entitled *Contributions to American Educational History*.

Finally to him perhaps more than to any other one man is due the foundation and successful career of the American Historical Association, which he served as secretary until less than a year ago when his health forced him to relinquish the burden. The death of such a man means the passing of one of the most successful organizers and inspirers of American historical activities.

William James Stillman, artist, art critic and journalist, died July 6 at Frimley Green, Surrey, England. He was born at Schenectady, New York, 1828, graduated from Union College in 1848, and led a varied career, mostly in Europe since that time. In his later years he served as United States consul at Rome and then in Crete, afterwards living in

Italy as correspondent of the London *Times* and various New York papers. Besides numerous writings on aesthetic and literary subjects, and an autobiography, he published several volumes of an historical character: *The Cretan Insurrection of 1866-68*, in 1874; *Herzegovina*, in 1877; *The Union of Italy, 1815-1895*, in 1898; and a biography of Crispi in 1899.

James Ford Rhodes, LL.D., has been awarded the Loubat prize of 3,000 marks for the best modern work in American History, written in the past ten years. The Duc de Loubat, who is partly American by descent and is distinguished for his interest in American historical research, established this prize three years ago under the guardianship of the Königlich Preussische Akademie der Wissenschaften, and this, the first award, is made in consideration of Mr. Rhodes's "History of the United States since the Compromise of 1850."

Prof. W. J. Ashley has resigned his professorship of economic history at Harvard University to accept the first chair in the new Faculty of Commerce of the University of Birmingham.

Dr. Carl Becker has been appointed instructor in history in Dartmouth College, and Dr. Norman M. Trenholme takes charge of the history department at the Pennsylvania State College.

At the coming meeting of the New England History Teachers' Association two reports are to be presented of pedagogical importance. A committee of six consisting of Professors Foster, Perrin, Kendall and Start and Drs. Henderson and Cushing has published a preliminary report on methods of history teaching in secondary schools, with portions of a syllabus or guide based upon the recommendations of the committee of seven. This is to be tested by actual operation and discussed at the next meeting in October. Another committee composed of Professors Hazen, Hart, Bourne, and Farrand, and Miss Sarah M. Dean has nearly ready for the press an elaborate *Report on Historical Sources for Schools*, also based on the recommendations of the committee of seven. It will contain annotated lists of sources written in or translated into English, arranged according to the divisions Ancient, Medieval and Modern, English and American, and also a list of topics with references to appropriate sources. This is expected to aid teachers in the selection of books for school libraries and in the actual use of sources in teaching.

The African Society, recently founded in memory of Miss Mary Kingsley, will devote itself to the study of all subjects connected with the great continent; it hopes to become a working information bureau for Africa. Its first object, however, will be the study of native languages, institutions, customs, religions and antiquities. A part of its work will be to publish a Quarterly Journal, and communications are invited from all who are able to assist in furthering the objects of the society. The headquarters of the society is at present at 22. Albemarle Street, London, W.

The proceedings of the International Congress of Catholic Savants, of which the fifth convention was held in Munich last year, contains numerous articles of interest to historical students (Munich, Herder).

The second and concluding volume of Mühlbrecht's *Wegweiser durch die neuere Litteratur der Rechts- und Staatswissenschaften* was recently published. This volume covers the years 1893-1900, and includes publications in all the leading countries.

Messrs. Macmillan and Company announce for this fall a series of historical atlases by Dr. Emil Reich: an *Atlas Antiquus* and a *New Historical Atlas for British History*, each of fifty small quarto maps; and a *New Historical Atlas for Modern History*, of fifteen maps, atlas size. The maps in each atlas, it is stated, are drawn on a new graphic plan, in colors, and from original sources; and are accompanied by an explanatory text (in Latin in the *Atlas Antiquus*) and an alphabetical index.

Mr. M. Morison's *Time Table of Modern History, A. D. 400-1870* (London, Constable), includes, besides the usual material of such books, a number of maps, by Messrs. W. and A. K. Johnston.

Professor Theodor Lindner, of Halle, has recently published *Geschichts-philosophie. Einleitung zu einer Weltgeschichte seit der Völkerwanderung* (Stuttgart, Cotta).

#### ANCIENT HISTORY.

Mr. H. R. Hall has lately published *Oldest Civilization of Greece: Studies of the Mycenaean Age* (London, Nutt).

In the *Early Age of Greece* (Cambridge, University Press), Professor William Ridgeway attempts to solve, by the deductive method, some of the chief problems of early Greek history. The first volume treats of the monumental, traditional and linguistic aspects of the subject; the second will deal with institutions and religion.

In the *Revue de Synthèse Historique* for June, M. A. Puech, of the University of Paris, has a suggestive review of recent work on the history of Christian Greek literature.

The Royal Archaeological Institute has been established at Rome, Palazzo Odescalchi, with Professor Pelham, of Oxford, as its head.

A useful repertory of literature relating to Italy and western Europe in ancient times is to be found in the first volume of the catalogue of the Royal German Archaeological Institute in Rome, carefully compiled by the librarian of the institute, Dr. August Mau (Rome, Loescher).

The first fascicles are at hand of the grand *Thesaurus Linguae Latinae*, the publication of which has been undertaken by the Academies of Berlin, Vienna, Leipzig and Göttingen (Leipzig, Teubner).

Mr. A. H. J. Greenidge has lately published, at the Clarendon Press, an important original work on *Legal Procedure of Cicero's Time*, and to Messrs. Macmillan's "Handbooks of Archaeological Antiquities" he has contributed an account of *Roman Public Life*.

The Clarendon Press has issued a new and enlarged edition of Professor Sohm's *Institutes*. Among other changes in the work is the addition of an excellent chapter on the fate of the Roman law since the completion of Justinian's Corpus.

Noteworthy articles in periodicals: Ad. Brieger, *Das Atomistische System durch Correctur des Anaxagoreischen Entstanden* (Hermes, XXXVI. 2); U. Wilcken, *Zu den pseudo-Aristotelischen Oeconomica* (Hermes, XXXVI. 2); Gaston Boissier, *La Conception de l'Histoire dans Tacite* (Revue des Deux-Mondes, July 15); Th. Mommsen, *Die Diocletianische Reichspräfectur* (Hermes, XXXVI. 2); O. Seeck, *Die Selbstverwaltung der Städte im Römerreiche* (Deutsche Rundschau, August and September).

#### EARLY CHURCH HISTORY.

The main purpose of *The Post-Apostolic Age*, by the Rev. Dr. Lucius Waterman, is to make church history interesting to lay readers and to apply some of its lessons to our own times. Bishop Potter supplies an introduction.

*Die Kirchengeschichte des Eusebius aus dem Syrischen Uebersetz*, by E. Nestle, appears in *Texte und Untersuchungen*, new series, VI. 2 (Leipzig, Hinrichs).

Noteworthy articles in periodicals: A. Harnack, *Vorstudie zu einer Geschichte der Verbreitung des Christenthums in den ersten drei Jahrhunderten* (Sitzungsberichte der königlich preussischen Akademie der Wissenschaften, July 18); C. Erbes, *Petrus nicht in Rom sondern in Jerusalem Gestorben* (Zeitschrift für Kirchengeschichte, XXII. 2); V. Ermoni, *Les Monarchiens Anténicéens* (Revue des Questions Historiques, July); Abbé F. Nau, *Le Texte Grec Original de la Vie de S. Paul de Thèbes* (Analecta Bollandiana, XX. 2); *The Holy Eucharist: an Historical Inquiry*, I. (Church Quarterly Review, July).

#### MEDIEVAL HISTORY.

At the last Congress of the International Association of Academies the section for Letters took definite steps toward the publication of a Corpus of Greek charters of the Middle Ages and of an encyclopedia of Islam.

The sixth and last fascicle of the main part of the *Bibliotheca Hagiographica Latina* is now ready. The work will be completed by a *Supplement*, announced for this October, which is to indicate editions published since the printing of the *Bibliotheca* was begun, together with earlier editions not previously noted.

In *Les Premières Invasions Arabes dans l'Afrique du Nord* (Paris, Leroux), M. Maurice Caudel has made considerable advance upon the work of his predecessors. He has the advantage especially of a personal acquaintance with the region in which those invasions took place.

Mr. G. Le Strange's *Baghdad during the Abbasid Caliphate*, written from contemporary and Persian sources, contains valuable notices on the history of civilization as Baghdad had a part in it (Clarendon Press).

*Girolamo Savonarola*, by E. L. S. Horsburgh (London, Methuen), and *Savonarola*, by Dr. George M'Hardy (Edinburgh, Clark), are both books for the general reader.

Noteworthy articles in periodicals: J. Kaufmann, *Die Vorgeschichte der Zauber- und Hexenprozesse im Mittelalter* (Neue Jahrbücher für das klassische Alterthum, VII. 4, 5); Hanz Prutz, *The Economic Development of Western Europe under the Influence of the Crusades* (International Monthly, August); C. Huit, *Note sur l'État des Études Grecques en Italie et en France du XIV<sup>e</sup> au XVI<sup>e</sup> Siècle* (Revue des Études Grecques, March-April).

#### MODERN HISTORY.

The formation of a *Société d'Histoire Moderne* is in progress, under the auspices of several prominent professors and scholars in France. It proposes to group scientific workers in modern history; to contribute to the organization of work by monthly sessions, by the publication of a Bulletin, and by establishing a correspondence between the society and its provincial and foreign adherents; and, when its resources permit, to undertake or subsidize the publication of texts, and to create working tools, of which modern history now has comparatively few.

It is announced that Dr. J. W. Thompson, of the University of Chicago, is preparing a bibliography of the history of the relations between England and France in the 14th and 15th centuries.

M. L.-H. Labande has published, from the original manuscript and with introduction and notes, *Un Diplomate Français à la Cour de Catherine II., 1775-1780*, being the private journal of the Chevalier de Corberon, then Chargé d'Affaires for France in Russia (Paris, Plon).

Mr. Arthur Hassall is issuing, through Messrs. Bell, a third and revised edition of Dyer's *History of Modern Europe*. He will also bring the work down to the end of the nineteenth century. The first and second volumes cover the years 1453-1585.

The Macmillan Co. has published the final volume of their European History Series, *Modern Europe, 1815-1899*, by W. A. Phillips.

The Cambridge University Press has in preparation *A History of Education from the Beginnings of the Renaissance*, by William H. Woodward; and *A Brief History of Geographical Discovery since 1840*, by F. H. H. Guillemard.

M. Élie Halévy has published, through MM. Alcan, *La Formation du Radicalisme Philosophique: I. La Jeunesse de Bentham; II. L'Évolution de la Doctrine Utilitaire de 1789 à 1815*.

Beginning in the June number of the *Deutsche Rundschau* Dr. Richard Ehrenburg follows up his article on the Fuggers by a series of similar articles on the Rothschilds.

Messrs. Longmans have lately brought out *Armenia: Travels and Studies*, by Mr. H. F. B. Lynch; a comprehensive work marked by thoroughness and careful study of authorities.

Messrs. G. P. Putman's Sons publish Mr. M. Townsend's *Asia and Europe*, which consists of "studies presenting conclusions formed by the author in a long life devoted to relations between Asia and Europe."

Messrs. Scribners announce for October Mr. Henry Norman's new book on *All the Russias*. It contains travel sketches and studies of contemporary conditions in Russia, Siberia, Finland, the Caucasus and Central Asia, and is profusely illustrated from the author's own photographs.

M. Henri Cordier has written a *Histoire des Relations de la Chine avec les Puissances Occidentales* (1860-1890). The first volume, already published, deals with *L'Empereur T'oung-Tché* (1864-1875); the second volume is in the press.

An important addition to the literature concerning the Far East is Mr. Henry Savage Landor's two volumes on *China and the Allies*, published by Charles Scribner's Sons.

- In *The "Arrow" War with China* Professor Charles S. Leavenworth, of Nanyang College, Shanghai, gives an account of the seizure of part of the crew of the English lorch Arrow and the hauling down of the British flag by the Chinese in 1856, and of the war and other consequences that followed (London, Low).

Noteworthy articles in periodicals: G. F. Preuss, *Oesterreich, Frankreich und Bayern in der spanischen Erbfolgefrage*, 1685-1689, I. (Historische Vierteljahrschrift, IV. 3); Émile Ollivier, *Napoléon III. et Bismarck en Pologne* (Revue des Deux-Mondes, July 15); W. Miller, *Europe and the Ottoman Power before the Nineteenth Century* (English Historical Review, July); Gustav Roloff, *Zu den Anfängen der modernen Kolonisation* (Preussische Jahrbücher, August); Charles de Coutouly, *Un Homme d'État Afrikanderiste: Jan Hendrik Brand* (Revue Historique, July).

#### GREAT BRITAIN AND IRELAND.

Messrs. Dodd, Mead and Co. expect to issue this autumn the concluding volume of Andrew Lang's *History of Scotland*.

Mr. Robert S. Rait has published recently, with Messrs. Blackie and Son, a rapid sketch of Anglo-Scottish relations down to the Union, *An Outline of the Relations between England and Scotland*, 500-1707; and in extended and amended form a Stanhope prize essay, *The Scottish Parliament before the Union of the Crowns*.

Mr. J. Bain's *The Edwards in Scotland, 1296-1377*, the Rhind Lectures in Archæology for 1900, has been published by Douglas.

The January and April numbers of the AMERICAN HISTORICAL REVIEW will contain a series of studies on "The English Social Revolt of 1381," prepared by Professor George Kriehn.

Volume V. of the *Letters Received by the East India Company from its Servants in the East*, edited by Mr. W. Foster, covers January to June, 1617 (London, Low).



Mr. R. C. H. Catterall has a brief account of some recent literature on Oliver Cromwell, in the *Year-Book of the Bibliographical Society of Chicago*, 1900-1901.

Dr. Gardiner's *Cromwell*, originally issued in Messrs. Goupil's illustrated historical series, has been republished in a revised and handier form by Longmans, Green and Co.

The recently published third volume of Mr. Inderwick's *Calendar of Inner Temple Records* covers the years 1660-1714. This work is to be discontinued, at least for the present.

The fourth volume of the series "Scottish History from Contemporary Writers" is devoted to *The Chevalier de St. George and the Jacobite Movements in his Favour*, 1701-1720 (David Nutt).

*The Military Life of Field-Marshal George, First Marquess Townshend*, by Col. C. V. F. Townshend, C.B. (London, Murray), is an attempt to vindicate the military reputation of Wolfe's successor at Quebec.

A German life of William Pitt, the Younger, by Felix Salomon, has begun to appear (Leipzig, Teubner). The part now issued is entitled *Die Grundlagen*. The first volume is to bring the subject down to 1793.

The Navy Records Society intends to print *The Journal of Captain* (afterwards Sir John) *Narborough*, 1672-1673, to be edited by Professor J. K. Laughton; a *Calendar of the MSS. in the Pepsian Library*, to be edited by Mr. J. R. Tanner; *Official Documents illustrating the Social Life and Internal Discipline of the Navy in the Eighteenth Century*, edited by Laughton; *Documents relating to the Suppression of the Jacobin Revolution at Naples in June, 1799*, to be edited by Mr. H. C. Gutteridge; *Reminiscences of Commander James Anthony Gardner*, 1775-1806, to be edited by Admiral Sir R. Vesey Hamilton; *The Correspondence of Admiral John Markham*, to be edited by Sir Clements R. Markham; and a *Collection of Naval Songs and Ballads* to be edited by Mr. C. H. Firth and Mr. Henry Newbolt.

Noteworthy articles in periodicals: F. W. Maitland, *William Stubbs, Bishop of Oxford* (English Historical Review, July); F. Baring, *The Making of the New Forest* (English Historical Review, July); Basil Williams, *The Foreign Policy of England under Walpole*, VI. (English Historical Review, July); G. S. Street, *The Betting Book at Brooks's* (North American Review, July); Woodrow Wilson, *Edmund Burke and the French Revolution* (Century, September).

#### FRANCE.

*The Revue d'Histoire Moderne et Contemporaine* begins, in the first number (May-June) of its third volume, a *Revue des Périodiques*, where will be found an indication and an analysis of the articles relating to the modern and contemporary history of France that have appeared in the principal French reviews. The editors announce that later in the year

they will undertake the same service in reference to articles in foreign reviews.

Monsieur Auguste Molinier now has in press (Picard) the first volume of his long-expected *Manuel de Bibliographie Historique*, a repertory of sources relating to the history of France during the Middle Ages. This volume is devoted to the Merovingian and Carolingian periods. The work is very detailed, and doubtless of a character to form a landmark in the history of French scholarship. Also, M. Molinier has lately finished, with the publication of the second volume, the *Correspondance Administrative d'Alfonso de Poitiers* (Collection de Documents Inédits). In an introduction he deals at some length with the personal government of Alfonso and makes important contributions to the history of French institutions.

The latest addition to the *Collection de Textes pour Servir à l'Étude et à l'Enseignement de l'Histoire* is a volume of *Statutes d'Hotels-Dieu et de Léproseries*, edited by M. Léon le Grand, of the Archives Nationales. The documents included belong to the twelfth, thirteenth and fourteenth centuries (Paris, Picard et Fils).

The second volume of *Rôles Gascons*, transcribed and published by M. Charles Bémont, recently issued in the *Collection des Documents Inédits*, relates to the years 1273-1290 (Paris, Leroux).

The members of the French School at Rome have brought out the first pages of *Les Registres de Martin IV*. Also M. Auguste Coulon, of the Archives Nationales, has begun the publication of the Registers of Pope John XXII. so far as they relate to France.

The name of François de Fénelon appears in two lists of autumn announcements. Messrs. Longmans are publishing a volume entitled *Fénelon: His Friends and His Enemies, 1651-1715*, by E. K. Sanders; and Messrs. Methuen announce *The Life of François de Fénelon*, by Viscount St. Cyres.

Volume XVI. of the *Recueil des Instructions aux Ambassadeurs de France* is devoted to Prussia. It is edited, with introduction and notes, by M. Albert Waddington (Paris, Alcan).

The *Inventaire Analytique des Procès-Verbaux du Conseil de Commerce et Bureau du Commerce de 1700 à 1791*, begun by M. P. Bonnasieux and completed by M. E. Lelong, has lately appeared (Paris, Imprimerie Nationale). There is an introduction, in which M. Lelong studies the history of the Conseil de Commerce, and an index.

Father P. Bliard, S.J., has published the first volume of his work on *Dubois Cardinal et Premier Ministre* (Paris, Lethielleux).

M. Casimir Stryienski has in press *Marie-Joséphine de Saxe, Dauphine, et la Cour de Louis XV. (1746-1767)*, based on documents in the Royal Archives of Saxony.

The *Revue des Études Historiques* will publish, in a series of articles during the coming year, a work by M. Marcel Marion, *Condition des Classes Rurales en Bordelais à la fin du XVIII<sup>e</sup> Siècle*, to which the Société des Études Historiques has lately awarded the Raymond prize.

The firm of Manzi, Joans and Co. (Paris) announce for November a limited edition of a sumptuous work on the Empress Marie-Louise, by M. F. Masson, which will contain much hitherto unpublished material and many letters. Messrs. Goupil will publish the same work in England.

A noteworthy contribution to contemporary French history is M. Joseph Reinach's impartial and trustworthy *Histoire de l'Affaire Dreyfus : Le Procès de 1894* (Paris, Éditions de la Revue Blanche).

Noteworthy articles in periodicals: E. Jarry, *Actes Additionnels au Contrat de Mariage de Louis d'Orléans et de Valentine Visconti* (Bibliothèque de l'École des Chartes, January-April); S. Charléty, *Lyon sous le Ministère de Richelieu*, I. (*Revue d'Histoire Moderne et Contemporaine*, July); Georges Weill, *Philippe Buonarroti, 1761-1837* (*Revue Historique*, July); René Moreux, *La Situation de la France dans le Levant à la Fin du XVIII<sup>e</sup> Siècle*, I. (*Revue d'Histoire Moderne et Contemporaine*, July); Ph. Sagnac, *La Propriété Foncière et les Paysans en France au XVIII<sup>e</sup> Siècle d'après les Travaux de M. J. Loutchisky* (*Revue d'Histoire Moderne et Contemporaine*, July); E. Renan, *Turgot* (*Revue de Paris*, July 1); Arthur de Ganniers, *La Dernière Campagne du Maréchal de Rochambeau (1792)* (*Revue des Questions Historiques*, July); T. J. Andrews, *Massena's Lines of March in Portugal and French Routes in Northern Spain* (*English Historical Review*, July); Abbé Feret, *Le Concordat de 1816,—Ambassade à Rome de Cortois de Pressigny et du Comte de Blacas* (*Revue des Questions Historiques*, July); E. Levasseur, *Les Périodes de l'Histoire des Classes Ouvrières* (*Compte Rendu, Académie des Sciences Morales et Politiques*, July); Charles Seignobos, *The Political Parties of France* (*International Monthly*, August).

#### ITALY.

The Italian Numismatic Society, of Milan, has undertaken to make a *Corpus Nummorum Italicarum*. According to the present plan there are to be sixteen quarto volumes, the first of which will appear by the end of this year.

Messrs. Methuen are to publish *Dante Studies and Researches*, by Mr. Paget Toynbee. Among the subjects dealt with are Dante's Latin Dictionary; Dante and the Lancelot Romance; Dante's Obligations to Alfraganus, to Drosius and to Albertus Magnus; his theories as to the spots on the moon; and the commentary of Benvenuto da Imola on the *Divina Commedia*.

It is announced that much new matter will be found in the cheaper edition of the Countess Martinengo-Cesaresco's *Italian Characters in the Epoch of Unification*, in preparation by Mr. T. Fisher Unwin (London).

## GERMANY, AUSTRIA, SWITZERLAND.

The publications for 1900-1901 in the *Monumenta Germaniae Historica* include, in the *Scriptores*, the second half of the third volume of *Deutsche Chroniken*, devoted especially to the works of Jansen Enikel, edited by Strauch; and in the octavo series, the *Johannis Codagnelli Annales Placentini*, edited by Holder-Egger, to take the place of the unsatisfactory edition in the eighteenth folio volume. In the *Diplomata* comes the beginning of the third volume, with the *Heinrici et Arduini Diplomata*, edited by Bresslau. The committee has in press: in the *Scriptores*, the fourth volume of lives of saints of the Merovingian period, edited by Krusch, and Vol. XXXI., which is devoted to Italian chronicles of the thirteenth century, edited by Holder-Egger; in the *Leges*, Zeumer's edition of the *Leges Visigothorum*; in the *Diplomata*, the last part of the third volume of *Diplomata Regum et Imperatorum*, and Mühlbacher's volume of Carolingian charters; in the *Antiquitates*, the index to the second volume of the *Necrologia Germaniae*. In the octavo series a volume to include the works of the Nun Hrothsvitha of Gandersheim is forthcoming. An edition of the Acts of the Councils from 742 to 843 is in preparation by Dr. Werminghoff.

A collection of studies brought together to celebrate the fiftieth anniversary of the doctorate of Th. von Sickel forms the sixth supplemental volume of the *Mittheilungen des Instituts für oesterreichische Geschichtsforschung*. They relate largely to diplomatic and to textual criticism.

The researches of the last half century on prehistoric questions have made possible a substantial synthetic work by Professor J. Heierlei, *Urgeschichte der Schweiz* (Zurich, Muller).

Essential contributions to the history of townspeople in the late Middle Ages are now being made by the publication of documents relating to Zurich and to Geneva. The second volume (there are to be three) of Zeller-Werdmüller's *Die Zürcher Stadtbücher des XIV. und XV. Jahrhunderts* (Leipzig, Hirzel) contains the register of the Council of Two Hundred and the register of the Small Council of Zurich for the years 1412 to 1428. The first volume of the *Registres du Conseil de Genève*, edited by M. Émil Rivoire, is now ready.

Professor Erich Marcks, of Leipzig, has been called to Heidelberg to succeed the late Professor Erdmannsdörfer.

Noteworthy articles in periodicals: Agnes M. Wergeland, *Slavery in Germanic Society during the Middle Ages*, II. (Journal of Political Economy, June); J. R. Haarhaus, *Antipäpstliche Umtriebe an einer katolischen Universität* [Bonn] (Historische Vierteljahrschrift, IV., 3).

## BELGIUM.

M. G. Espinas is publishing a series of noteworthy articles on *Les Finances de la Commune de Douai, des Origines au XV<sup>e</sup> Siècle* in the *Nouvelle Revue Historique de Droit Français et Étranger* (XXV., 2, 3, and to follow).

M. G. des Marez, known especially by his work on the history of landed property in the towns of Flanders, has lately published an original and suggestive study on *La Lettre de Foire à Ypres au XIII<sup>e</sup> Siècle*, based on a collection of some 8,000 documents in the municipal archives at Ypres. It forms part of the *Mémoires de l'Académie Royale de Belgique*.

*The Story of Bruges*, by Ernest Gilliat-Smith, is the latest addition to the Dent-Macmillan series of "Mediaeval Towns."

The important rôle of Nicolas Clénard in the intellectual life of the sixteenth century is brought to full light in a study on his life and works by MM. V. Chauvin and A. Roersch. Their work has been awarded the Stassart prize by the Royal Academy of Belgium, and appears in the sixtieth volume of the Academy's octavo collection of *Mémoires Couronnés*.

The Belgian quinquennial prize for the best work relating to the history of the nation has been awarded to M. Henri Pirenne for his *Histoire de Belgique*.

#### NORTHERN AND EASTERN EUROPE.

Father G. Gobulovitch has made a new and complete edition of the work of Francesco Suriano, *Il Trattato di Terra Santa e dell' Oriente*, first published at Venice in 1524.

Students of Byzantine history are indebted to Dr. H. Gelzer for *Ungedruckte und Ungenügend Veröffentlichte Texte der Notitiae Episcopatum* (reprinted from the *Abhandlungen der königlichen bayerischen Akademie der Wissenschaften*, I. Cl., Bd. XXI., Abt. III.).

*Les Juifs en Roumanie depuis le Traité de Berlin jusqu' à ce jour*, etc., by Edmond Sinecrus, deals with the anti-Semite movement in Roumania. It gives instances of legal persecution since 1886 and evidence of the heavy emigration of the Jews.

Noteworthy articles in periodicals: George Washburn, *The Early History of the Turks* (*Contemporary Review*, August).

#### AMERICA.

*A Biographical History of the United States*, with a scope not unlike that of the American Statesmen Series, is announced by Doubleday, Page and Company. The first volume, to be ready shortly, is the *Life of James Madison*, by Gaillard Hunt.

Part I. of *State Publications*, a provisional list of the Official Publications of the several states from their organization, has appeared, covering the New England states. This bibliographical work under the editorship of R. R. Bowker ought to be of great value to librarians and to students of American history. A similar work, also by Mr. Bowker, is entitled *Publications of Societies*, covering the published proceedings, papers and collections, of over 1,100 organizations.

An abridged edition of *Poole's Index to Periodical Literature* has just been issued in one medium-sized volume by Houghton, Mifflin and Com-

pany. This includes references to thirty-seven leading periodicals, of which all but seven are American. The seven others include certain of the English reviews, but the presence of Littell's *Living Age* and the *Eclectic Magazine* renders the omissions of less moment. The practical advantages of this compression and selection need no explanation to any one who has labored over the existing four mountainous volumes.

A general index to the fifteen volumes of the *Political Science Quarterly* is announced by Ginn and Co. This includes references not merely to the authors and subjects of contributed articles, but to books reviewed and to the record of political events, and ought to be of the greatest convenience to historical students.

The *Bulletin of the New York Public Library* for July contains a detailed list (thirty pages) of the manuscript collections possessed by the library and kept at the Lenox building. The various series, most of which are comprised in the Rich, Bancroft, Emmet, Myers, Ford and Hardwicke collections, are entered in a geographical order of the countries to which they refer. None of the lists of manuscripts printed heretofore in the *Bulletin* is of anything like the same importance as this; indeed this is central to them all—a general guide to the surprisingly rich manuscript treasures of the library. The August number contains the text (in French) of some letters and essays on canals and on free trade which Robert Fulton addressed to General Bonaparte in 1798.

Messrs. Dodd, Mead and Company announce *The Journal of Hugh Gaine, Printer*, edited by Paul Leicester Ford, a document of interest in the early history of printing in the United States.

R. M. McKenzie, of the Periodical Department of the Library of Congress, is preparing *A History of American Journalism*. This work will treat the newspapers individually by states and is expected to comprise at least 2,000 pages. (Washington, Government Printing Office.)

The Macmillan Company has just published *American Diplomatic Questions*, by J. B. Henderson. The same company announces for October a series of studies by Albert Bushnell Hart, entitled *Foundations of American Foreign Policy*.

*Les États-Unis et la Doctrine de Monroe*, by Hector Pétin, is a valuable study from a strongly critical standpoint, published by the Librairie Nouvelle de Droit et de Jurisprudence, Paris.

A reprint of Morgan's *League of Ho-dè-no-sau-nee, or the Iroquois*, now a half century old, is announced by Dodd, Mead and Co.

At the last Congrès des Sociétés Savantes, Dr. Hamy, of the Institut, presented a number of unpublished documents relating to French expeditions to Florida in the reign of Charles IX., among them some that concern a second voyage of Laudonnière, in 1570, said to be entirely unknown. M. Hamy proposes to use this material in a definitive edition of *French Voyages to Florida from 1562 to 1570*.

The De Soto expedition through Florida is treated with topographical annotations by T. H. Lewis in the *American Antiquarian* for July and August.

*Colonial Fights and Fighters*, by C. T. Brady, is announced for publication this autumn by McClure, Phillips and Co., a companion volume to *American Fights and Fighters*. A third volume to complete the series will be called *Pioneer Fights and Fighters*.

The death of Mr. John Fiske will not prevent the publication this autumn of his volume on *New England and New France*. This work was by no means complete, but in spite of sundry gaps and the irreparable loss of the author's finishing touches it seemed to be sufficiently far advanced to warrant its publication to complete the series of Mr. Fiske's histories.

*A Calendar of Washington Manuscripts in the Library of Congress*, edited by Dr. Herbert Friedenwald, has been recently published (Washington, Government Printing Office). Letters to Washington as well as those written by him or under his authority are here calendared. Perhaps the most important and significant are the letters received during the latter part of the Revolution, indicating the means he employed to obtain information of the condition or the movements of the enemy.

*The True Thomas Jefferson*, by William Ellroy Curtis, is in preparation for J. B. Lippincott's series of "true" biographies.

A reissue of Mrs. Trollope's *Manners of the Americans* is announced by Dodd, Mead and Co. for the coming autumn.

C. H. Van Tyne, Ph.D., has recently examined, practically for the first time, about one thousand letters to and from Daniel Webster now in the archives of the New Hampshire Historical Society at Concord, N. H. These letters, hitherto unpublished, cover the entire period of Webster's public career and comprise many of the utmost interest and importance not merely from Webster himself but from the leading men among his contemporaries, Clay, Randolph, Adams and others. They will be brought out under Dr. Van Tyne's editorship, by McClure, Phillips and Co., in the coming autumn.

*A Soldier's Experience in Southern Prisons* is a volume of reminiscences by C. M. Prutsman, published at Lexington, Nebraska, by the author.

*Lincoln's Plan of Reconstruction*, by Charles H. McCarthy, is announced by McClure, Phillips and Co.

The recent addresses and writings of the late Benjamin Harrison will be collected and published under the title, *Views of an Ex-President*, by the Bowen-Merrill Company of Indianapolis.

*A History of the Spanish American War*, by General Russell A. Alger, is announced for publication in September by Harper and Brothers. The main theme of this work will be the conduct of the War Department and the controversies to which it gave rise.

The July issue of the *Annals of the American Academy* is taken up with a valuable collection of addresses given at the annual meeting, on April 12-13, on America's Race Problems. These deal with the people of the Philippines, Hawaii and the West Indies, mainly from an ethnological point of view; the two addresses on the Race Problem at the South are more historical in character, The Relation of the Whites to the Negroes, by President G. T. Winston, LL.D., of the North Carolina College of Agriculture and Mechanic Arts, and The Relation of the Negroes to the Whites in the South, by Professor W. E. B. DuBois, Atlanta University.

*Currency and Banking in the Province of Massachusetts Bay*, by Andrew McFarland Davis, is published in the third series of Publications of the American Economic Association. The second part, Banking, has just been issued.

An appeal is published in *The Nation* of July 11 for the loan of letters by the late John A. Andrew, "war governor" of Massachusetts, to aid in preparing his biography. Any such which may be sent to H. G. Pearson, Box 395, Kennebunkport, Maine, will be carefully preserved and returned.

*The Early History of Vermont*, by Lafayette Wilbur is published by the Roscoe Printing House at Jericho, Vermont. Two volumes have appeared; a third is to follow.

Prof. S. C. Derby has just published a pamphlet on *Early Dublin Revolutionary Soldiers*, at Columbus, Ohio.

The Acorn Club of Connecticut will publish very shortly a facsimile of the *Acts and Laws of His Majesty's Colony of Connecticut in New England*, printed in 1702. Of the original document only four copies are known to exist.

S. R. Rider, of Providence, R. I., is writing a work, to be completed in three volumes, on the development of constitutional government in Rhode Island. The first volume, covering the years 1636-1664, is now completed. The other two volumes will cover the years 1665-1790 and 1790-1843 respectively.

In the August issue of the *North American Review*, under the title "John Fiske and the History of New York," Mrs. Schuyler Van Rensselaer criticizes Mr. Fiske's treatment of the Dutch element in his *Dutch and Quaker Colonies*.

A volume entitled *Abstracts of Wills on File in the Surrogate's Office, City of New York, 1665-1707*, published by the New York Historical Society, contains much material of value for economic and social information.

*Political Nativism in New York State*, by L. D. Scisco, has been issued by the Columbia University Press as part 2 of Vol. 13 of the Columbia University Studies.



*The Maryland Constitution of 1864*, by W. S. Myers, is double number 8 and 9 in Johns Hopkins University Studies, Nineteenth Series.

*The Virginia Magazine of History and Biography*, for July, contains the valuable annotated list of Virginia newspapers in the Library of Congress, and prints a large number of early seventeenth century documents relating to the administrations of Governors Harvey, Berkeley, Effingham and Nicholson, besides selections from letters among the Campbell papers bearing upon the Revolution.

Several letters to Jefferson bearing upon local politics in Virginia and Pennsylvania, in the period of the Confederation, are printed in the July number of *The New England Historical and Genealogical Register*.

*The Story of the Georgia People*, by C. Gillman Smith, in one large volume of 650 pages, has just been published by the author at Macon, Ga.

*Ohio in Congress*, from 1803 to 1901, with notes and sketches of senators and representatives, by W. Alexander Taylor, is announced by the Twentieth Century Publishing Company, Columbus, O.

The leading article in the July number of the *Quarterly of the Texas State Historical Association*, is on the annexation of Texas and the Mexican War. The author, Z. T. Fulmore, argues against the Northern and Abolitionist view of the annexation of Texas.

The Philippine Information Society announces the completion of the first series of pamphlets in September, covering the history of affairs up to July, 1901. A second series of *Facts about the Philippines* is announced to begin in October, keeping up with current public events.

Sir J. G. Bourinot has prepared a new and revised edition of his *Manual of The Constitutional History of Canada*, with the purpose of making it as useful as possible for college students. A chapter on the practical operation of parliamentary government in the Dominion has been added and the summary of important constitutional decisions has also been completed to date.

Noteworthy articles in periodicals: Bishop E. R. Hendrix, *Wesley's Original American Journal* (Methodist Review, July); H. Friedenwald, *The Declaration of Independence* (International Monthly, July); Albert Phelps, *New Orleans and Reconstruction* (Atlantic Monthly, July); T. N. Page, *The Southern People during Reconstruction* (Atlantic Monthly, September); J. W. Garner, *Mississippi during the Civil War* (Political Science Quarterly, June); R. R. Elliott, *Two Centuries of Catholicity in Detroit* (American Catholic Quarterly); Woodrow Wilson, *Colonies and Nation* (Harper's Magazine, July-September); F. A. Wood, *A New England Democrat of the Old School* (New England Magazine, July); W. C. Cochran, *The Early Life and Military Services of General Jacob Dolson Cox* (Bibliotheca Sacra, July).

The  
American Historical Review

AN UNDEVELOPED FUNCTION<sup>1</sup>

"History is past Politics, and Politics are present History."—*Edward A. Freeman.*

"Politics are vulgar when they are not liberalized by history, and history fades into mere literature when it loses sight of its relation to practical politics."—*Sir John Seeley.*

HERE are aphorisms from two writers, both justly distinguished in the field of modern historical research. Sententious utterances, they would probably, like most sententious utterances, go to pieces to a greater or less extent under the test of severe analysis. They will, however, now serve me sufficiently well as texts.

That politics should find no place at its meetings is, I believe, the unwritten law of this Association; and by politics I refer to the discussion of those questions of public conduct and policy for the time being uppermost in the mind of the community. Taking into consideration the character and purpose of our body, and the broad basis on which its somewhat loose membership rests, the rule may be salutary. But there are not many general propositions not open to debate; and so I propose on this occasion to call this unwritten law of ours in question. While so doing, moreover, I shall distinctly impinge upon it.

Let us come at once to the point. May it not be possible that the unwritten law, perhaps it would be better to speak of it as the tacit understanding, I have referred to, admits of limitations and exceptions both useful and desirable? Is it, after all, necessary, or from a point of large view even well-considered, thus to exclude from the list of topics to be discussed at meetings of historical associations, and especially of this Association, the problems at the time uppermost in men's thoughts? Do we not, indeed, by so doing abdicate a useful public function, surrender an educational office? Do we not practically admit that we cannot trust ourselves to dis-

<sup>1</sup> President's address before the American Historical Association, December 27, 1901.

cuss political issues in a scholarly and historical spirit? In one word, are not those composing a body of this sort under a species of obligation, in a community like ours, to contribute their share, from the point of view they occupy, to the better understanding of the questions in active political debate? This proposition, as I have said, I now propose to discuss; and, in so doing, I shall, for purposes of illustration, draw freely on present practical politics, using as object lessons the issues now, or very recently, agitating the minds of not a few of those composing this audience,—indeed, I hope, of all.

I start from a fundamental proposition. The American Historical Association, like all other associations, whether similar in character or not, either exists for a purpose, or it had better cease to be. That purpose is, presumably, to do the best and most effective work in its power in the historical field. I then next, and with much confidence, submit that the standard of American political discussion is not now so high that its further elevation is either undesirable or impracticable. On the contrary, while, comparatively speaking, it ranks well both in tone and conduct, yet its deficiencies are many and obvious. That, taken as a whole, it is of a lower grade now than formerly, I do not assert; though I do assert, and propose presently to show, that in recent years it has been markedly lower than it was in some periods of the past, and periods within my own recollection. That, however, it is not so high as it should be, that it is by no manner of means ideal, all will, I think, admit. If so, that admission will suffice for present purposes.

My next contention is perhaps more open to dispute. It is a favorite theory now with a certain class of philosophers, somewhat inclined to the happy-go-lucky school, that in all things every community gets about what it asks for and is qualified to appreciate. In political discussion—as in railroad or hotel service, and in literature or religion—the supply as respects both quality and quantity responds with sufficient closeness to the demand. There is, however, good reason for thinking that, with the American community or at least with some sections and elements thereof, this at best specious theory does not at the present time hold true. Our recent political debates have, I submit, been conducted on a level distinctly below the intelligence of the constituency; the participants in the debate have not been equal to the occasion offered them. Evidence of this is found in the absence of response. I think I am justified in the assertion that no recent political utterance has produced a real echo, much less a reverberation; and it would not

probably be rash to challenge an immediate reference to a single speech, or pointed expression even, which during the last presidential campaign, for instance, impressed itself on the public memory. That campaign, seen through the vista of a twelve-month, was, on the contrary, from beginning to end, with a single exception, creditable neither to the parties conducting it, nor to the audience to whose level it was presumably gauged.

Perhaps, however, I can best illustrate what I have to say—enforce the lesson I would fain this evening teach—by approaching it through retrospect. So doing, also, if there is any skill in my treatment, I cannot well be otherwise than interesting; for I shall largely deal with events within the easy recollection of those yet in middle life. But, while those events are sufficiently removed from us to admit of the necessary perspective, having assumed their true proportions to what preceded and has followed, they have an advantage over the occurrences of a year ago; for the controversial embers of 1900 may still be glowing in 1901,—though, I must say, to me the ashes seem white and cold and dead enough. Still, I do not propose to go back to any very remote period, and I shall confine myself to my own recollection, speaking of that only of which I know, and in which I took part. My review will begin with the year 1856,—the year of my graduation, and that in which I cast my first vote; also one in which a President was chosen, James Buchanan being the successful candidate.

But it must be premised that each election does not represent a debate; not infrequently it is merely a stage in a debate. It was so in 1856; it has been so several times since. Indeed, since 1840,—the famous “Log Cabin and Hard Cider” campaign of “Coon-Skin Caps,” and “Tippecanoe and Tyler too,” probably the most humorous, not to say grotesque, episode in our whole national history, that in which the plane of discussion reached its lowest recorded level,—since 1840 there have been only six real debates, the average period of a debate being, therefore, ten years. These debates were, (1) that over Slavery, from 1844 to 1864; (2) that over Reconstruction, from 1868 to 1872; (3) Legal Tenders, or “Fiat Money,” and Resumption of Specie Payments were the issues in 1876 and 1880; (4) the issue of 1888 and 1892 was over Protection and Free Trade; (5) the debate over Bimetallism and the Demonetization of Silver occurred in 1896; and, finally, (6) Imperialism, as it is called, came to the front in 1900. Since 1856, therefore, the field of discussion has been wide and diversified, presenting several issues of great moment. Of necessity also the debates have assumed many and diverse aspects, ethical, ethnolog-

ical, legal, military, economical, financial, historical. The last is that which interests us.

The first of the debates I have enumerated, that involving the slavery issue, is now far removed. We can pass upon it historically; for the young man who threw his maiden vote in 1860, when it came to its close, is now nearing his grand climacteric. Of all the debates in our national history that was the longest, the most elevated, the most momentous, and the best sustained. It looms up in memory; it projects itself from history. As a whole, it was immensely creditable to the people, the community at large, for whose instruction it was conducted. It has left a literature of its own, economical, legal, moral, political, imaginative. In fiction, it produced *Uncle Tom's Cabin*, still, if one can judge by the test of demand at the desks of our public libraries, one of the most popular books in the English tongue. In the law, it rose to the height of the Dred Scott decision; and, while the rulings in that case laid down have since been reversed, it will not be denied that the discussion of constitutional principles involved, whether at the bar, in the halls of legislatures, in the columns of the press or on the rostrum, was intelligent, of an order extraordinarily high, and of a very sustained interest. It was to the utmost degree educational.

So far as the historical aspect of that great debate is concerned, two things are to be specially noted. In the first place the moral and economical aspects predominated; and, in the second place, what may be called the historical element as an influencing factor was then in its infancy. Neither in this country nor in Europe had that factor been organized, as it now is. The slavery debate was so long and intense that all the forces then existing were drawn into it. The pulpit, for instance, participated actively. The physiologist was much concerned over ethnological problems, trying to decide whether the African was a human being or an animal; and, if the former, was he of the family of Cain. Thus all contributed to the discussion; and yet I am unable to point out any distinctly historical contribution of a high order; though, on both sides, the issue was discussed historically with intelligence and research. Especially was this the case in the arguments made before the courts and in the scriptural dissertations; while on the political side, the speeches of Seward and Sumner, of Jefferson Davis and A. H. Stevens, leave little to be desired. The climax was, perhaps, reached in the memorable joint debate between Lincoln and Douglas, of which it is not too much to say the country was the auditory. The whole constituted a fit prologue to the great struggle which ensued.

Beginning in its closing stage, in December, 1853, when the measure repealing the Missouri Compromise of 1820 was introduced into the Senate of the United States, and closing in December, 1860, with the passage of its Ordinance of Secession by South Carolina, this debate was continuous for seven years, covering two presidential elections, those of 1856 and 1860. So far as I know, it was *sui generis*; for it would, I fancy, be useless to look for anything with which to institute a comparison except in the history of Great Britain. Even there the discussion which preceded the passage of the Reform Bill of 1832, or that which led up to the repeal of the Corn Laws in 1846, or, finally, the Irish Home Rule agitation between 1871 and 1892, one and all sink into insignificance beside it. Of the great slavery debate it may then in fine be said that, while the study of history and the lessons to be deduced from history contributed not much to it, it made history, and on history has left a permanent mark.

Of the canvass of 1864, from our point of view little need be said. There was in it no great field for the historical investigator, the issue then presented to the people being of a character altogether exceptional. The result depended less on argument than on the outcome of operations in the field. There was, I presume, during August and September of that year, a wordy debate, but the people were too intent on Sherman as he circumvented Atlanta, and on Sheridan as he sent Early whirling up the valley of the Shenandoah, to give much ear to it. Had this Association then been in existence, and devoted all its energies to elucidating the questions at issue, I cannot pretend to think it would perceptibly have affected the result.

Nor was it greatly otherwise in the canvass of 1868. The country was then stirred to its very depths over the questions growing out of the war. The shattered Union was to be reconstructed; the slave system was to be eradicated. These were great political problems; problems as pressing as they were momentous. For their proper solution it was above all else necessary that they should be approached in a calm, scholarly spirit, observant of the teachings of history. Never was there a greater occasion; rarely has one been so completely lost. The assassination of Lincoln silenced reason; and to reason, and to reason only, does history make its appeal. The unfortunate personality of Andrew Johnson now intruded itself; and, almost at once, what should have been a calm debate degenerated into a furious wrangle. Looking back over the canvass of 1868, and excepting Gen. Grant's singularly felicitous closing of his brief letter of acceptance—"Let us have peace!"—I think it would be difficult for any one to recall a single

utterance which produced any lasting impression. The name even of the candidate nominated in opposition to Grant is not readily recalled. In that canvass, as in the preceding one, I should say there was no room for the economist, the philosopher, or the historian. The country had, for the time being, cut loose from both principle and precedent.

The debate over Reconstruction, begun in 1865, did not wear itself out until 1876. In no respect will it bear comparison with the debate over slavery which preceded it. Sufficiently momentous, it was less sustained, less thorough, far less judicial. Towards its close, moreover, as the country wearied, it was gravely complicated by a new issue; for, in 1867, began that currency discussion destined to last in its various phases through the life-time of a generation. It thereafter entered, in greater or less degree, into no less than nine consecutive presidential elections, two of which, those of 1876 and 1896, actually turned upon it.

The currency debate presented three distinct phases: first, the proposition, broached in 1867, known as the greenback theory, under which the interest-bearing bonds of the United States, issued during the Rebellion, were to be paid at maturity in United States legal tender notes, bearing no interest at all. This somewhat amazing proposition was speedily disposed of; for, early in 1869, an act was passed declaring the bonds payable "in coin." But, as was sure to be the case, the so-called "Fiat Money" delusion had obtained a firm lodgment in the minds of a large part of the community, and to drive it out was the work of time. It assumed, too, all sorts of aspects. Dispelled in one form, it appeared in another. When, for instance, the act of 1860 settled the question as respects the redemption of the bonds, the financial crisis of 1873 re-opened it by creating an almost irresistible popular demand for a government paper currency as a permanent substitute for specie. Finally, when seven years later this issue was put to rest by a return to specie payments, the over-production of silver, as compared with gold, already foreshadowed the rise of one of the most serious and far-reaching questions which have perplexed modern times. Thus as the ethical and legal issues which were the staples of public discussion from 1844 to 1872 were disposed of, or by degrees settled themselves, a series of material questions arose, destined, even if at times in a somewhat languid way, to occupy public attention through thirty years.

It is difficult to say what the dividing issue of 1876 really was. The country was then slowly recovering from the business prostration which followed the collapse of 1873. The issues involved in

Reconstruction, if not disposed of, were clearly worn out, and to them the country would not respond, turning impatiently from their further discussion. Those issues might now settle themselves, or go unsettled; and, though that conclusion was reached thirty years ago, they are not settled yet. The living debate was over material questions, the cause of the prolonged business depression, and the remedy for it. The favorite specific was at first a recourse to paper money. The government printing-press was to be set in motion in place of the mint; and even hard-money Democrats of the Jacksonian school united with radical Republicans of the Reconstruction period in guaranteeing a resultant prosperity. Again the teachings of history were ignored. What, it was contemptuously exclaimed in the Senate, do we care for "abroad"! From this calamity the country had been saved by the veto of President Grant in 1874; and, the following year, an act was passed looking to the resumption of specie payments on the 1st of January, 1879. Seventeen years of suspension were then to close. Over this measure the parties nominally joined issue in 1876. The Republicans, nominating Governor Hayes, of Ohio, demanded the fulfilment of the promise; the Democrats, nominating Governor Tilden, of New York, insisted on the repeal of the law. Yet it was well understood that the candidate of the Democracy favored the policy of which the law in debate was the concrete expression. The contest was thus in reality one between the "ins" and the "outs." We all remember how it resulted, and the terrible strain to which our machinery of government was in consequence subjected. In the wrangle which ensued the material and business interests of the country recuperated in a natural way, just as had repeatedly been the case before, and more than once since; and the United States then entered on a new era of increased prosperity. This brought the paper money debate to a close. The issues presented had, in the course of events, settled themselves.

But not the less for that, in the canvass of 1876 a field of great political usefulness was opened up to the historical investigator; a field which, I submit, he failed adequately to develop. A public duty was left unperformed. It was in connection with what John Stuart Mill has in one of his *Essays and Dissertations* happily denominated "The Currency Juggle." From time immemorial to tamper with the established measures of value has been the constant practice of men of restless and unstable mind, honest or dishonest, whether rulers or aspirants to rule. History is replete with instances. To cite them was the function of the historical investigator; to marshal them, and bring them to bear on the sophistries



of the day was the business of the politician. A professorial discussion in a meeting of such an organization as this would then have been much to the point ; and yet, curiously enough, a new historical precedent was about to be worked out. That was then to be done which had never been done before ; a country which had gone to the length the United States had gone in the direction of " Fiat Money "—two-thirds of the way to repudiation—was actually to retrace its steps, and resume payments in specie at the former standards of value. History would have been searched in vain for a parallel experience.

The administration of President Hayes was curiously epochal. During it the so-called " carpet-bag governments " disappeared from the southern states ; the country resumed payments in specie ; and, on the 28th of February, 1878, Congress passed, over the veto of the President, an act renewing the coinage of silver dollars, the stoppage of which, five years before, constituted what was destined thereafter to be referred to as " the crime of 1873." This issue, however, matured slowly. Public men, having recourse to palliatives, temporized with it ; and, through four presidential elections it lay dormant, except in so far as parties pledged themselves to action calculated, in the well-nigh idiotic formula of politicians, to " do something for silver." The canvasses of 1880 and 1884 are, therefore, devoid of historical interest. The first turned largely on the tariff ; and yet, curiously enough, the single utterance in that debate which has left a mark on the public memory was the wonderful dictum of Gen. Hancock, the candidate of the defeated opposition, that the tariff was a local issue, which, a number of years before, had excited a good deal of interest in his native state of Pennsylvania. The gallant and picturesque soldier, metamorphosed into a political leader *pro hac vice*, simply harked back to the " Log Cabin " and " Coon-skin " campaign of 1840, when, a youth of sixteen, he was on his way to West Point.

Nor is the recollection of the debate of 1884 much more inspiring. It was a lively contest enough, under Grover Cleveland and James G. Blaine as opposing candidates, a struggle between the " outs " to get in and the " ins " not to go out. But a single formula connected with it comes echoing down the corridors of time, the alliterative " Rum, Romanism and Rebellion " of the unfortunate Burchard. An interlude in the succession of great national debates, the canvass of 1884 called for no application of the lessons of history.

That of 1888, presenting at last an issue, rose to the dignity of debate. In his annual message of the previous December, the

President, in disregard of all precedent, had confined his attention not only to the tariff, but to a single feature in the tariff, the duty on wool. In so doing he had, as the well-understood candidate of his party for re-election, flung down the gauntlet; for, only three years before, the Republicans, in the presidential platform, had laid particular emphasis on "the importance of sheep industry" and "the danger threatening its future prosperity." They had thus pledged themselves to "do something" for wool, as well as for silver, and the President now struck at wool as "the tariff-arch keystone." But, while in this debate the economist came to the front, there was no pronounced call and, indeed, small opportunity for the historian. The silver issue was in abeyance; the pension list and civil service were not calculated to incite to investigation; nor had history much to say on either topic. As to the sheep, now so much in evidence, the British wool-sack might afford a text suggestive of curious learning in connection with England's once greatest staple—how, for instance, as a protective measure it was by one Parliament solemnly ordained that the dead should be buried in woollens. But it will readily be admitted that the historic spirit does not kindle over tariff schedules. The lessons of experience to be drawn from revenue tables appeal rather to the school of Adam Smith than to the disciples of Gibbon.

Returning to the review of our national debates, we find that in 1892 the shadow of coming events was plainly perceptible. The tariff issue had now lost its old significance; for the infant industries had developed into trade and legislation-compelling trusts. These were suggestive of new and, as yet, inchoate problems; but to them the constituency was not prepared intelligently to address itself. Populism was rife, with its crude and restless theories; a crisis in the history of the precious metals was clearly impending, with the outcome in doubt; indiscriminate and unprecedented pension giving had reduced an overflowing exchequer to the verge of bankruptcy. The debate of 1892 accordingly dropped back to the politician's level, that of 1876, 1880 and 1884. In it there was nothing of any educational value; nothing that history will dwell upon. The "ins" pointed with pride; the "outs" sternly arraigned the "ins"; while the student, whether of economics or history, there found small place and a listless audience. The memory of the canvass which resulted in the second administration of Cleveland is quite obliterated by the issues, altogether unforeseen, which the ensuing years precipitated.

Of quite another character were the two canvasses of 1896 and 1900. Still fresh in memory, the echoes of these have indeed not yet ceased to reverberate; and I assert without hesitation that, not

since 1856 and 1860 has this people passed through two such wholesome and educational experiences. In 1896 and in 1900, as in the debates of forty years previous, there was a place, and a large place, for the student, whether investigator or philosopher. Great problems, problems of law, of economics and ethics, problems involving peace and war, and the course of development in the oldest as in the newest civilizations, had to be discussed, on the way to a solution. That the prolonged debate running through those eight years was at all equal to the occasion, I do not think can be claimed. Even his most ardent admirers will hardly suggest that Mr. Bryan in 1896 and 1900 rose to the level reached by Lincoln forty years before, nor do the utterances of either Mr. Roosevelt, Mr. Depew or Mr. Hanna bear well a comparison with those of Seward, Trumbull and Sumner. And that this momentous, many-sided debate failed to rise to the proper height was due, I now unhesitatingly submit, to the predominance in it of the political "boss," and the absence from it of the scholar. In it, those belonging to this Association, and to other associations similar in character to this, did not play their proper part; they proved themselves unequal to the occasion. Indeed, in the whole wordy canvass of 1896 I now recall but two instances of the professor or philosopher distinctively taking the floor; but both of those were memorable. They imparted an elevation of tone to discussion, immediately and distinctly perceptible, in the press and on the platform. I refer to the single utterance of Carl Schurz, before a small audience at Chicago, on the 5th of September, 1896, and to the subsequent publications of President Andrew D. White, in which, from his library at Ithaca, he drew freely on the stores of historical experience in crushing refutation of demagogical campaign sophistry. Amid the petulant chattering of the political magpies it was refreshing to hear those clear-cut, incisive utterances,—calm, thoughtful, well-reasoned. I have been told that in its various forms of republication, no less than five millions, and some authorities say ten millions, of copies of that Chicago speech of Mr. Schurz were then put in circulation. It was indeed a masterly production, a production in which a high key-note was struck and sustained. But the suggestive and extremely encouraging fact in connection with it was the response it elicited. Delivering himself at the highest level to which he could attain, Mr. Schurz was only on a level with his audience. To the political optimist that fact spoke volumes; it revealed infinite possibilities.

Twelve presidential canvasses, and six great national debates have thus been passed in rapid review. It is as if, in the earlier

history of the country we had run the gamut from Washington to Van Buren. Taken as a whole, viewed in gross and perspective, the retrospect leaves much to be desired. That the debates held in Ireland and France during the same time have been on a distinctly lower level, I at once concede. Those held in Great Britain and Germany have not been on a higher. Yet ours have at best been only relatively educational; as a rule extremely partizan, they have been personal, often scurrilous, and intentionally deceptive. One fact is, however, salient. With the exception of the first, that of 1856-1860, not one of the debates reviewed has left an utterance which, were it to die from human memory, would by posterity be accounted a loss. This, I am aware, is a sweeping allegation; in itself almost an indictment. Yet with some confidence I challenge a denial. Those here are not as a rule in their first youth, and they have all of them been more or less students of history. Let each pass in rapid mental review the presidential canvasses in which he has in any degree participated, and endeavor to recall a single utterance which has stood the test of time as marking a distinct addition to mankind's intellectual belongings, the classics of the race. It has been at best a babel of the commonplace. I do not believe one utterance can be named, for which a life of ten years will be predicted. Such a record undeniably admits of improvement. Two questions then naturally suggest themselves: To what has this shortcoming been due? Wherein lies the remedy for it?

The shortcoming, I submit, is in greatest part due to the fact that the work of discussion has been left almost wholly to the journalist and the politician, the professional journalist and the professional politician; and, in the case of both there has in this country during the last forty years, been, so far as grasp of principle is concerned, a marked tendency to deterioration. Nor, I fancy, is the cause of this far to seek. It is found in the growth, increased complexity and irresistible power of organization as opposed to individuality, in the parlance of the day it is the all-potency of the machine over the man, equally noticeable whether by that word "machine" we refer to the political organization or to the newspaper.

The source of trouble being located in the tendency to excessive organization, it would seem natural that the counteracting agency should be looked for in an exactly opposite direction—that is, in the increased efficacy of individualism. Of this, I submit, it is not necessary to go far in search of indications. Take, for instance, the examples already referred to, of Mr. Schurz and President White, in the canvass of 1896, and suppose for a moment efforts such as theirs then were made more effective as resulting from the organ-

ized action of an association like this. Our platform at once becomes a rostrum, and a rostrum from which a speaker of reputation and character is insured a wide hearing. His audience too is there to listen, and repeat. From such a rostrum, the observer, the professor, the student, be it of economy, of history, or of philosophy, might readily be brought into immediate contact with the issues of the day. So bringing him is but a step. He would appear, also, in his proper character and place, the scholar having his say in politics; but always as a scholar, not as an office-holder or an aspirant for office. His appeal would be to intelligence and judgment, not to passion or self-interest, or even to patriotism. Congress has all along been but a clumsy recording machine of conclusions worked out in the laboratory and machine-shop; and yet the idea is still deeply seated in the minds of men otherwise intelligent that, to effect political results, it is necessary to hold office, or at least to be a politician and to be heard from the hustings. Is not the exact reverse more truly the case? The situation may not be, indeed it certainly is not, as it should be; it may be, I hold that it is, unfortunate that the scholar and investigator are finding themselves more and more excluded from public life by the professional with an aptitude for the machine, but the result is none the less patent. On all the issues of real moment,—issues affecting anything more than a division of the spoils or the concession of some privilege of exaction from the community, it is the student, the man of affairs and the scientist who to-day, in last resort, closes debate and shapes public policy. His is the last word. How to organize and develop his means of influence is the question.

“Here’s what should strike, could one handle it cunningly :  
Help the axe, give it a helve !”

So far as the historian is concerned, this Association is, I submit, the helve to the axe.

Of this the presidential election which closed just a year ago affords an apt illustration, ready-at-hand. No better could be asked. What might then well have been? The American Historical Association, as I have already said, is composed of those who have felt a call for the investigation and treatment of historical problems. Its members, largely instructors in our advanced education, feel that keen interest in the issues of the day natural and proper in all good citizens, irrespective of calling. They want to contribute their share to discussion; and, in that way, to influence results, so far as in them lies. From every conceivable point of view it is most desirable that they should have facilities for so doing. I hold, therefore, that in the last presidential canvass, a special meeting of this



Association, called to discuss the issues then pending, might well have tended to the better general and popular comprehension of those issues, and to the elevation of that debate. Conducted on academic principles and looking to no formal expression of results in any enunciated platform of principles, such a gathering would have exercised an influence, as perceptible as beneficial, in lifting the discussion up into the domain of philosophy and research. It would have brought the lessons of the past to bear on the questions of the day. In any event, it would certainly not have descended to that contemptible *post ergo propter* formula, which, on the one side or the other, has in every presidential canvass been the main staple of argument.

What were the issues of the last presidential canvass? On what questions did its debate turn? Three in number, they were I think singularly inviting to those historically minded. To the reflecting man the matter first in importance was what is known as "imperialism," the problem forced upon our consideration by the outcome of the war with Spain. Next I should place the questions of public policy involved in the rapid agglomerations of capital, popularly denominated trusts. Finally the silver issue still lingered at the front, a legacy from the canvass of four years previous. The debate of 1900 is a thing of the past. Each of those issues can now be discussed, as it might well then have been discussed, in the pure historical spirit. Let us take them up in their inverse order.

Historically speaking, I hold there were two distinct sides to the silver question; and, moreover, on the face of the record, the advocates of bimetallism, as it was called, had in 1896 the weight of the argument wholly in their favor. In his very suggestive work entitled *Democracy and Liberty*, Mr. Lecky refers to the discovery of America as producing, among other far-reaching effects, one which he considers most momentous of all. To quote his words: "The produce of the American mines created, in the most extreme form ever known in Europe, the change which beyond all others affects most deeply and universally the material well-being of man: it revolutionized the value of the precious metals, and, in consequence, the price of all articles, the effects of all contracts, the burden of all debts." This was during the sixteenth century, the years following the great event of 1492. Again, the world went through a similar experience within our own memories, in consequence of the California and Australia gold-finds, between 1848 and 1852. These revolutions were due to natural causes, and came about gradually. They were also of a stimulating character. From the be-

ginning of modern commercial times, however, to the close of the last century, the exchanges of all civilized communities had been based on the precious metals ; and silver had been quite as much as gold a precious metal for monetary purposes. Shortly after 1870 the policy of demonetizing silver was entered upon ; and, in 1873, the United States gave in its adhesion to that policy. Thereafter, in the great system of international exchanges, silver ceased to be counted a part of that specie reserve on which drafts were made. Thenceforth, the drain, as among the financial centers, was to be on gold alone. In the whole history of man no precedent for such a step was to be found. So far as the United States was concerned the basis, on which its complex and delicate financial fabric rested, was weakened by one-half ; and the cheaper and more accessible metal, that to which the debtor would naturally have recourse in discharge of his obligations, was made unavailable. It could further be demonstrated that, without a complete readjustment of our currencies and values, the world's accumulated stock and annual production of gold could not, as a monetary basis, be made to suffice for its needs. A continually recurring contest for gold among the great financial centers was inevitable. "A change which," in the language of Lecky, "beyond all others affects most deeply and universally the material well-being of man" had been unwittingly challenged. The only question was : would the unexpected occur ? Then, if it did occur, what might be anticipated ? Such was the silver issue, as it presented itself in 1896. On the facts, the weight of argument was clearly with the advocates of silver.

Four years later, in 1900, the unexpected had occurred. As then resumed, the debate was replete with interest. The lessons of 1492 and 1848 had a direct bearing on the present, and, in the light by them shed, the outcome could be forecast almost with certainty ; but it was a world-question. Japan, China, Hindostan entered into the problem, in which also both Americas were factors. It was a theme to inspire Burke, stretching back, as it did, to the Middle Ages, and involving the whole circling globe. Rarely has any subject called for more intelligent and comprehensive investigation ; rarely has one been more confused and befogged by a denser misinformation. The discoverer and scientist, moving hand in hand, had, during the remission of the debate, been getting in their work, and under the touch of their silent influence, the world's gold production rose by leaps and bounds. Less than ten millions of ounces in 1896, in 1899 it had nearly touched fifteen millions ; and in money value, it alone then exceeded the combined value of the gold and silver production of the earlier period. What did this signify ?

History was only repeating itself. The experiences of the first half of the sixteenth century and the middle decennaries of the nineteenth century were to be emphasized during the opening years of the twentieth.

So much for the silver question and its possible treatment. In the discussion of 1900, the last word in the debate of 1896 remained to be uttered. A page in history, both memorable and instructive, was to be turned. Next trusts—those vast aggregations of capital in the hands of private combinations, constituting practical monopolies of whole branches of industry, and of commodities necessary to man. Was the world to be subject to taxation at the will of a moneyed syndicate? The debate of a year ago over this issue, if debate it may be called, is still very recent. In it the lessons of history were effectually ignored; and yet, if applied, they would have been sufficiently suggestive. The historian was as conspicuous for his absence as the demagogue was in evidence.

The cry was against monopoly and the monopolist, a cry which, as it has been ringing through all recorded times, suggests for the historical investigator a wide and fruitful field. Curiously enough the first lesson to be derived from labor in that field is a paradox. Practically, so far as extortion is concerned, there is almost nothing in common between the old time monopoly and the modern trust. Of examples of the first, the record is monotonously full. Mere agents of the government, sometimes the favorites of the Crown, the whole machinery of the state has time out of mind been put at the service of monopolists to enable them to exact tribute from all. To the student of English history the names and misdeeds of Sir Richard Empson and Sir Giles Mompesson at once suggest themselves; while others more familiar with the drama recall Sir Giles Overreach, or that powerful scene in *Ruy Blas* in which the Spanish courtiers wrangle together, coming almost to blows, over a division among themselves of the right to extort. The old system still survives. For example, in France to-day the manufacture and sale of salt is a government monopoly. A prime necessity of life, no person not specially authorized may engage in the production of salt, or import it. If a peasant woman, living on the sea-coast of Brittany or Normandy, endeavors to procure salt for her family by the slow process of evaporating a pailful of sea water in the sun, she is engaged in an illicit trade, and becomes amenable to law. Her salt will certainly, if found, be confiscated. So of improved pocket matches. In France, their manufacture is a government revenue monopoly. They are notoriously bad. Those made and sold in Great Britain are on the contrary noted for excellence. If,



however, a box of English matches is found in the pocket of a traveller passing from England to France, it is taken from him and the contents are destroyed at once; indeed he is fortunate if he escapes the payment of a fine. This is monopoly; the whole strength of a government being put forth to exact an artificial profit on the sale of a commodity in general use. There is an historical literature pertaining to the subject, a lamentation, and an ancient tale of wrong.

The curious feature in the present discussion, that which in the mind of the student of things as opposed to words imparts a special interest to it, is that, while the trust or vast aggregation of capital and machinery of production in the hands of individuals intended to control competition is in fact the modern form of monopoly, it is in its methods and results the direct opposite of the old time monopoly; for, whereas, the purpose and practice of that was to extort from all purchasers an artificial price for an inferior article through the suppression of competitors, the first law of its existence for the modern trust is, through economies and magnitude of production, to supply to all buyers a better article at a price so low that other producers are driven from the market. The ground of popular complaint against them is not that they exact an inordinate profit on what they sell, but that they sell so low that the small manufacturer or merchant is deprived of his trade. This distinction with a difference explains at once the wholly futile character of the politician's outcry against trusts. It is easy, for instance, to denounce from the platform the magnates of the Sugar Trust to a sympathizing audience; and yet not one human being in that audience, his sympathies to the contrary notwithstanding, will the next morning pay a fraction of a cent more per pound for his sugar, that by so doing he may help to keep alive some struggling manufacturer who advertises that his product does not bear the trust stamp.

As to the outcome of conflicts of this character history tells but one story. They can have but one result, a readjustment of industries. A single familiar illustration will suffice. Any one who chooses to turn back to it, can read the story of the long conflict between the loom and the spindle. Formerly, and not so very far back, the distaff and spinning-wheel were to be seen in every house; homespun was the common wear. To-day the average man or woman has never seen a distaff, or heard the hum of a spinning-wheel. Ceasing long since to be a commodity, homespun would be sought for in vain. Yet the struggle between the loom of the manufacturing trust and the old dame's spinning-wheel was, literally, for the latter, a fight to the death; for, in that case, the livelihood of

the operator was at stake. Her time was worth absolutely nothing, except at the wheel; she must needs work for any wage; on it depended her bread. A vast domestic, industrial readjustment was involved; one implying untold human suffering. The result was, however, never for an instant in doubt. The trust of that day was left in undisputed control of the field; and it always must, and always will be, just so long as it supplies purchasers with a better article, at a lower price than they had to pay before. The process does not vary; the only difference is that each succeeding readjustment is on a larger scale and more far-reaching in its effects.

Such, stripped of its verbiage and appeals to sympathy, is the trust proposition. But the popular apprehension always has been, as it now is, that this supply of the better article at a lower price will continue only until the producer, the monopolist has secured a complete mastery of the situation. Capital, it is argued, is selfish and greedy, corporations are proverbially soulless and insatiable; and, as soon as competition is eliminated, nature will assert itself. Prices will then be raised so as to assure inordinate gains; and when, in consequence of such profits, fresh competitors enter the field, they will either be crushed out of existence by a temporary reduction in price, or absorbed in the trust.

All this has a plausible sound; and of it as a theory of practical outcome the politician can be relied on to make the most. But on this head what has the historical investigator to say? His will be the last word in that debate also; his verdict will be final. The lessons bearing on this contention to be drawn from the record cover a wide field of both time and space; they also silence discussion. They tend indisputably to show that the dangers depicted are imaginary. The subject must, of course, be approached in an unprejudiced spirit and studied in a large, comprehensive way. Permanent tendencies are to be dealt with; and exceptional cases must be instanced, classified and allowed for. Attempts, more or less successful, at extortion in a confidence of mastery, can unquestionably be pointed out; but, in the history of economical development, it is no less unquestionable that, on the large scale and in the long run, every new concentration has been followed by a permanent reduction of price in the commodity affected thereby. The world's needs are continually supplied at a lower cost to the world. Again, the larger the concentration, the cheaper the product; until now a new truth of the market place has become established and obtained general acceptance, a truth of the most far-reaching consequence, the truth that the largest returns are found in quick sales at small profits. To manage successfully one of those great and complex indus-

trial combinations calls for exceptional administrative capacity in individuals, for men of quick perception and masterful tempers. These men must be able correctly to read the lessons of experience, and, accepting the facts of the situation, they must find out how most exactly to adapt themselves to those facts. No theorist, be he politician or philosopher, appreciates so clearly as does the successful trust executive the fundamental laws of being of the interests they have in charge. They have good cause to know that under conditions now prevailing, competition is the sure corollary of the attempted abuse of control ; and, moreover, that the largest ultimate returns on capital, as well as the only real security from competition, are found not in the disposal of a small product at large profits, but in a large output at prices which encourage consumption. Throwing exceptional cases and temporary conditions out of consideration, as not affecting final results, the historical investigator will probably on this subject find himself much at variance with the political canvasser. That the last will get worsted in the argument hardly needs be said.

Does history furnish any instance of a financial, an industrial or a commercial enterprise,—a bank, a factory, or an importing company,—ever having been powerful enough long to regulate the price of any commodity regardless of competition, except when acting in harmony with and supported by governmental power ? Is not the monopolist practically impotent, unless he has the constable at his call ? To answer this question absolutely would be to deduce a law of the first importance from the general experience of mankind. So doing would call for a far more careful examination than is now in my power to make, were it even within the scope of my ability ; but if my supposition prove correct, the corollary to be drawn therefrom is to us as a body politic and at just this juncture, one of the first and most far-reaching import. In such case, the modern American trust, also, so far as it enjoys any power as a monopoly, or admits of abuse as such, must depend for that power and the opportunity of abuse solely on governmental support and coöperation. Its citadel is then the custom house. The moment the United States revenue officer withdrew his support, the American monopolist would cease to monopolize, except in so far as he could defy competition by always supplying a better article at a price lower than any other producer in the whole world. And here, having deduced and formulated this law, the purely historical investigator would find himself trenching on the province of the economist. The so-called protective system would now be in question. Thus again, as so often before, the tariff would

become the paramount issue. But the tariff would no longer stand in the popular mind as the beneficent protector of domestic enterprise; it would, on the contrary, be closely associated with the idea of monopoly, it would be assailed as the Bastille of the monopolist. From the historical and economical points of view, however, the debate would not, because of that, undergo any diminution of interest. Whatever the politician might in discussion assert, or the opportunist incorporate into legislation, we may rest assured that this issue will ultimately settle itself in accordance with those irresistible underlying influences which result in what we know as natural evolution. History is but the record of the adjustment of mankind in the past to the outcome of those influences, moral, geological, industrial and climatic; and, in this respect, when all is said and done, it is tolerably safe to predict that the future will present no features of novelty. If, then, we can measure correctly the nature of the influences at work, experience furnishes the data from which the character, as well as the extent, of the impending readjustment may be surmised. For such a diagnosis the historian and economist are requisite.

It remains to pass on to the third and last of the matters in debate during 1900, that known as imperialism. This was the really great issue before the American people then; and it is the really great issue before them now. That issue, moreover, I with confidence submit, can be intelligently considered only from the historical standpoint. Indeed, unless approached through the avenues of human experience, it is not even at once apparent how the question, as it now confronts us, arose and injected itself into our political action; and accordingly, it is in some quarters even currently assumed that it is there only fortuitously, a feature in the great chapter of accidents, a passing incident, which may well disappear as mysteriously and as suddenly as it came. Studied historically, I do not think this view of the situation will bear examination. On the contrary, I fancy even the most superficial investigator, if actuated in his inquiry by the true historical spirit, would soon reach the conclusion that the issue so recently forced upon us had been long in preparation, was logical and inevitable, and for our good or our evil must be decided, rightly or wrongly, on a large view of great and complex conditions. In other words, there may be reason to conclude that an inscrutable law of nature, at last involving us, has long been and now is evolving results. It is one more phase of natural evolution, working itself out, as in the case of Rome twenty-five centuries ago, through the survival and supremacy of the fittest.



I need hardly say, I feel myself now venturing on some dangerous generalizations; and yet I do not see how the American investigator, who endeavors to draw his conclusions from history, can recoil from the venture. His deductions will probably be erroneous—indeed, they are sure to be so to some extent; and, in making them, he is more than likely to betray a very considerable capacity in the line of superficiality. None the less, even if it be of small value, he is bound to offer what he has. If the seed he throws bears no fruit, it can do small harm.

Mr. Leslie Stephen, in one of his essays, truly enough says: "The Catholic and the Protestant, the Conservative and the Radical, the Individualist and the Socialist, have equal facility in proving their own doctrines with arguments, which habitually begin, 'All history shows.' Printers should be instructed always to strike out that phrase as an erratum, and to substitute 'I choose to take for granted.' " And elsewhere the same writer lays it down as a general proposition that: "Arguments beginning 'all history shows' are always sophistical."<sup>1</sup> What is by some known as the doctrine of manifest destiny is, I take it, identical with what others, more piously minded, refer to as the will, or call, of God. The Mohammedan and the modern Christian gospel-monger say "God clearly calls us" to this or that work; and with a conscience perfectly clear, they then proceed to rob, slay and oppress. In like manner, the political buccaneer and land-pirate proclaims that the possession of his neighbor's territory is rightfully his by manifest destiny. The philosophical politician next drugs the conscience of his fellowmen by declaring solemnly that "all history shows" that might is right; and with time, the court of last appeal, it must be admitted possession is nine points in the law's ten. It cannot be denied, also, that quite as many crimes have been perpetrated in the name of God and of manifest destiny as in that of liberty. That, at least, "all history shows." But, all the same, just as liberty is notwithstanding a good and desirable thing, so God does live and will, and there is something in manifest destiny. As applied to the development of the races inhabiting the earth it is, I take it, merely an unscientific form of speech; the word now in vogue is evolution, the phrase "survival of the fittest." When all is said and done, that unreasoning instinct of a people which carries it forward in spite of and over theories to its manifest destiny, amid the despairing outcries and long-drawn protestations of theorists and ethical philosophers, is a very considerable factor in making history; and, consequently one to be reckoned with.

<sup>1</sup> *Social Rights and Duties*, Vol. I., p. 129; *An Agnostic's Apology*, p. 260.

In plain words then, and Mr. Stephen to the contrary notwithstanding, "all history shows" that every great, aggressive and masterful race tends at times irresistibly towards the practical assertion of its supremacy, usually at the cost of those not so well adapted to existing conditions. In his great work Mommsen formulates the law with a brutal directness distinctly Germanic :

"By virtue of the law, that a people which has grown into a state absorbs its neighbours who are in political nonage, and a civilized people absorbs its neighbours who are in intellectual nonage—by virtue of this law, which is as universally valid and as much a law of nature as the law of gravity—the Italian nation (the only one in antiquity which was able to combine a superior political development and a superior civilization, though it presented the latter only in an imperfect and external manner) was entitled to reduce to subjection the Greek states of the East which were ripe for destruction, and to dispossess the peoples of lower grades of culture in the West—Libyans, Iberians, Celts, Germans—by means of its settlers ; just as England with equal right has in Asia reduced to subjection a civilization of rival standing, but politically impotent, and in America and Australia has marked and ennobled and still continues to mark and ennoble, extensive barbarian countries with the impress of its nationality."<sup>1</sup>

Professor Von Holst again states a corollary from the law thus laid down in terms scarcely less explicit, in connection with a well-known and much discussed act of foreign spoliation in our own comparatively recent history : "It is as easy to bid a ball that has flown from the mouth of the gun to stop in its flight, and return on its path, as to terminate a successful war of conquest by a voluntary surrender of all conquests, because it has been found out that the spoil will be a source of dissension at home."<sup>2</sup> And then Von Holst quotes a very significant as well as philosophical utterance of William H. Seward's, which a portion of our earnest protestants of to-day would do well to ponder : "I abhor war, as I detest slavery. I would not give one human life for all the continents that remain to be annexed ; but I cannot exclude the conviction that the popular passion for territorial aggrandizement is irresistible. Prudence, justice, cowardice, may check it for a season, but it will gain strength by its subjugation. . . . It behooves us then to qualify ourselves for our mission. We must dare our destiny."<sup>3</sup> One more, and I have done with quotations. The last I just now commended to the thoughtful consideration of those classified in the political nomenclature of the day as Anti-Imperialists. A most conscientious and high-minded class, possessed with the full courage of their convictions, the efforts of the Anti-Imperialists

<sup>1</sup> *History of Rome*, Book V., chap. 7.

<sup>2</sup> *History of the United States*, Vol. III., p. 304.

<sup>3</sup> *Works*, Vol. III., p. 409.

will not fail, we and they may rest assured, to make themselves felt. They enter into the grand result. Nevertheless, for them also there is food for thought, perhaps for consolation, in this other general law, laid down in 1862 by Richard Cobden, than whose, in my judgment, the utterances of no English speaking man in the nineteenth century were more replete with shrewd sense expressed in plain, terse English :

“From the moment the first shot is fired, or the first blow is struck, in a dispute, then farewell to all reason and argument ; you might as well attempt to reason with mad dogs as with men when they have begun to spill each other's blood in mortal combat. I was so convinced of the fact during the Crimean war, which, you know, I opposed, I was so convinced of the utter uselessness of raising one's voice in opposition to war when it has once begun, that I made up my mind that as long as I was in political life, should a war again break out between England and a great Power, I would never open my mouth upon the subject from the time the first gun was fired until the peace was made, because, when a war is once commenced, it will only be by the exhaustion of one party that a termination will be arrived at. If you look back at our history, what did eloquence, in the persons of Chatham or Burke, do to prevent a war with our first American colonies? What did eloquence, in the persons of Fox and his friends, do to prevent the French revolution, or bring it to a close? And there was a man who at the commencement of the Crimean war, in terms of eloquence, in power, and pathos, and argument equal—in terms, I believe, fit to compare with anything that fell from the lips of Chatham and Burke—I mean your distinguished townsman, my friend Mr. Bright—and what was his success? Why, they burnt him in effigy for his pains.”

Turning from the authorities, and the lessons by them deduced from the record called History, let us now consider the problem precipitated on the American people by the Spanish war of 1898. That question,—the burning political issue of the hour,—I propose here and now to discuss. I propose to discuss it, however, from the purely historical standpoint, and not at all in its moral or economical aspects. So far then as this question is concerned, the last presidential vote, that of 1900, settled nothing, except that the policy which had assumed a certain degree of form in the treaty of Paris should not be reversed. All else was left for debate, and ulterior settlement. Certain lessons, calculated greatly to influence the character of that settlement, can, I submit, now be most advantageously drawn from history. At formulating those lessons I propose here to try my hand.

The first and most important lesson is one which, in theory at least, is undisputed; though to live up to it practically calls for a courage of conviction not yet in evidence. That a dependency is not merely a possession, but a trust, a trust for the future, for itself and for humanity, is accepted by us in this debate as a postulate ;

accordingly, our dependencies are in no wise to be exploited for the general benefit of the alien owner, or that of individual components of that owner, but they are to be dealt with in a large and altruistic spirit with an unselfish view to their own utmost development, materially, morally and politically. And, through a process of negatives, "all history shows" that only when this course is hereafter wisely and consecutively pursued, should that blessed consummation ever be attained, will the dominating power itself derive the largest and truest benefit from its possessions.

As yet no American of any character, much less of authority, has come forward to controvert this proposition. That it will be controverted, and attempts made by interested parties to sophisticate it away through the cunningly arranged display of exceptional circumstances, can with safety be predicted. In this respect, to use a cant phrase, "we know how it is ourselves." We all remember, for instance, the unspeakable code of factitious morals and deceptive philosophy manufactured to order in these United States as a "Gospel of Niggerdom" less than half a century ago. Coming down to more recent times, we can none of us yet have forgotten the wretched sophistry ignorantly resurrected from the French Revolution and assignat days in glorification of "Fiat Money," and a business world emancipated at last from any heretofore accepted measures of value. The leopard, rest assured, has not changed its spots since either 1860 or 1876. The "New Gospel" phase of the debate now on is, however, yet to develop itself. But, assuming the correctness of the proposition I have just formulated, a corollary follows from it. A formidable proposition, I state it without limitations, meaning to challenge contradiction, I submit that there is not an instance in all recorded history, from the earliest precedent to that now making, where a so-called inferior race or community has been elevated in its character, or made self-sustaining and self-governing, or even put on the way to that result, through a condition of dependency or tutelage. I say "inferior race"; but, I fancy, I might state the proposition even more broadly. I might, without much danger, assert that the condition of dependency, even for communities of the same race and blood, always exercises an emasculating and deteriorating influence. I would undertake, if called upon, to show also that this rule is invariable,—that, from the inherent and fundamental conditions of human nature it has known and can know no exceptions. This truth, also, I would demonstrate from well-nigh innumerable examples, that of our own colonial period among the number. In our case, it required a century to do away in our minds and hearts with our dependential traditions. The Civil War



and not what we call the Revolution, was our real war of Independence. And yet in our time of dependency you will remember we were not emasculated into a resigned and even cheerful self-incapacity as the natural result of a kindly, paternal and protective policy; but, as Burke with profound insight expressed it, with us the spirit of independence and self-support was fostered "through a wise and salutary neglect." But, for present purposes, all this is unnecessary, and could lead but to a poor display of commonplace learning. The problem to-day engaging the attention of the American people is more limited. It relates solely to what are called "inferior races"; those of the same race, or of cognate races, we as yet do not propose to hold in a condition of permanent dependency; those we absorb, or assimilate. Only those of "inferior race," the less developed or decadent, do we propose to hold in subjection, dealing with them, in theory at least, as a guardian deals with a family of wards.

My proposition then broadens. If history teaches anything in this regard it is that race elevation, the capacity in a word for political self-support, cannot be imparted through tutelage. Moreover, the milder, the more paternal, kindly and protective the guardianship, the more emasculating it will prove. A "wise and salutary neglect" is the more beneficent policy; for, with races as with individuals, a state of dependency breeds the spirit of dependency. Take Great Britain for instance. That people, working at it now consecutively through three whole centuries, after well-nigh innumerable experiences and as many costly blunders, Great Britain has, I say, developed a genius for dealing with dependencies, for the government of "inferior races"; a genius far in advance of anything the world has seen before. Yet my contention is that, to-day, after three rounded centuries of British rule, the Hindus, the natives of India, in spite of all material, industrial and educational improvements—roads, schools, justice and peace—are in 1900 less capable of independent and ordered self-government, than they were in the year 1600, the year when the East India Company was incorporated under a patent of Elizabeth. The native Indian dynasties, those natural to the Hindus, have disappeared; accustomed to foreign rule the people have no rulers of their own, nor could they rule themselves. The rule of aliens has with Hindostan thus become a domestic necessity. Remove it—and the highest and most recent authorities declare it surely will some day be removed—chaos would inevitably ensue. What is true of India is true of Egypt. That, under British rule, Egypt is to-day in better material and political case than ever before in its history, modern, biblical, hiero-

glyphic or legendary, scarcely admits of dispute. Schools, roads, irrigation, law and order, and protection from attack, she has them all ;

“ But what avail the plough or sail,  
Or land or life, if freedom fail ? ”

The capacity for self-government is not acquired in that school.

But of this England itself furnishes an example in its own history, an example well-nigh forgotten. In fundamentals human nature is much the same now as twenty centuries back. During the first century of the present era, the Romans, acting in obedience to the law laid down by Mommsen—the law quoted by me in full, and the law of which Thomas Carlyle is the latest and most eloquent exponent, the law known as the Divine Right of the most Masterful—acting in obedience to that law, the Romans in the year of Grace 43 crossed the British channel, overthrew the Celts and Gauls gathered in defence of what they mistakenly deemed their own, and, after reducing them to subjection, permanently occupied the land. They remained there four centuries, a hundred years longer than the English have been in Calcutta. During that period they introduced civilization, established Christianity, constructed roads, dwellings and fortifications. Materially, the condition of the country vastly improved. The Romans protected the inhabitants against their enemies ; also against themselves. During hundreds of years they benevolently assimilated them. Doubtless on the banks of the Tiber the inhabitants of what is now England were deemed incapable of self-government. Probably they were ; unquestionably they became so. When the legions were at last withdrawn, the results of a kindly paternalism, secure protection and intelligent tutelage became apparent. The race was wholly emasculate. It cursed its independence ; it deplored its lost dependency. As the English historian now records the result—“ They forgot how to fight for their country when they forgot how to govern it.”<sup>1</sup>

Man is always in a hurry ; God never !—is a familiar saying. Certainly, nature works with a discouraging indifference to generations. Each passing race of reformers and regenerators does indisputably love to witness some results of its efforts ; but, in the case of England, in consequence of the emasculation incident to tutelage, and dependency on a powerful, a benevolent and beneficent foreign rule, after that rule ended—as soon or late such rule always must end—throughout the lives of eighteen successive generations emasculated England was over-run. At last, with some half dozen intermediate rulers, the Normans succeeded the Romans. They were conquering masters ; but they domesticated themselves in the

<sup>1</sup> Green, *Short History of the English People*, Vol. I., p. 9.

British Islands, and in time assimilated the inhabitants thereof, Saxons, Picts and Celts, benevolently or otherwise. But, as nearly as the historian can fix it, it required eight hundred years of direst tribulation to educate the people of England out of that spirit of self-distrust and dependency into which they had been reduced by four centuries of paternalism, at once Roman and temporarily beneficent. Twelve centuries is certainly a discouraging term to which to look forward. But steam and electricity have since then been developed to a manifest quickening of results. Even the pace of nature was in the nineteenth century vastly accelerated.

Briefly stated then, the historical deduction would seem to be somewhat as follows: where a race has in itself, whether implanted there by nature or as the result of education, the elevating instinct and energy, the capacity of mastership, a state of dependency will tend to educate that capacity out of existence; and the more beneficent, paternal and protecting the guardian power is, the more pernicious its influence becomes. In such cases, the course most beneficial in the end to the dependency, now as a century ago, would be that characterized by "a wise and salutary neglect." Where, however, a race is for any cause not possessed of the innate saving capacity, being stationary or decadent, a state of dependency, while it may improve material conditions, tends yet further to deteriorate the spirit and to diminish the capacity of self-government; if severe, it brutalizes; if kindly, it enervates. History records no instance in which it develops and strengthens.

Following yet further the teachings of experience, we are thus brought to a parting of the ways, a parting distinct, unmistakable. Heretofore the policy of the United States, as a nationality, has, so far as the so-called inferior races are concerned, been confined in its operation to the North American continent; but, as a whole and in its large aspects, it has been well defined and consistent. We have proceeded on the theory that all government should in the end rest on the consent of the governed; that any given people is competent to govern itself in some fashion, and that, in the long run, any fashion of self-imposed government works better results than will probably be worked by a government imposed from without. In other words, the American theory has been that, in the process of nature and looking to ultimate, perhaps remote, conditions, any given people, not admitting of assimilation, will best work out its destiny when left free to work it out in its own way. Moreover, so far as outside influence is concerned, it can, in the grand result, be more effectively exercised through example than by means of active intervention. Where we have not therefore forcibly absorbed into

our system foreign and inferior races or elements, and more or less completely assimilated them, we have, up to very recently, adopted and applied what may perhaps in homely speech best be described as a "Hands-off and Walk-alone" doctrine, relying in our policy towards others on the theory practiced at our private firesides, the theory that self-government results from example, and is self-taught. I have already quoted Richard Cobden in this connection; I will quote him again. Referring, in 1864, to the British foreign policy, then by him as by us denounced, though by us now imitated, Cobden said: "I maintain that a man is best doing his duty at home in striving to extend the sphere of liberty, commercial, literary, political, religious, and in all directions; for if he is working for liberty at home, he is working for the advancement of the principles of liberty all over the world."

Mexico and Hayti afford striking illustrations of a long and rigid adherence to this policy on our part, and of the results of that adherence. Conquering and dismembering Mexico in 1847, we, in 1848, left it to its own devices. So completely had the work of subjugation been done, that our representatives had actually to call into being a Mexican government with which to arrange terms of peace. With that simulacrum of a national authority we made a solemn treaty; and, after so doing, left Mexico to work out its destiny, if it could, as it could. In spite of numerous domestic convulsions and much internal anarchy, from that day to this we have neither ourselves intervened in the internal affairs of our southern continental neighbor, nor long permitted such interference by others. To Mexico, we have said "Walk-alone"; to France, "Hands-off." The result we all know. It has gone far to justify our theory of the true path of human advancement. Forty years is, in matters of race development, a short time. A period much too short to admit of drawing positive, or final, inferences. Dr. Holmes was once asked by an anxious mother when the education of a child should begin; his prompt, if perhaps unexpected, reply was: "Not less than 250 years before it is born." To-day, and under existing conditions, Mexico, though republican in name and form only, is self-governing in reality. It is manifestly working its problem out in its own way. The statement carries with it implications hardly consistent with the might-is-right latter-day dispensation voiced by Mommsen and Carlyle.

Hayti presents another case in point, with results far more trying to our theory. We have towards Hayti pursued exactly the policy pursued by us with Mexico. Not interfering ourselves in the internal affairs of the island, we have not permitted interference by

others. For the condition of affairs prevailing in Hayti, occupied by an inferior race, apparently lapsing steadily toward barbarism, the United States is morally responsible. Acting on the law laid down in the extract I have given from the pages of Mommsen, we might at any time during the last quarter of a century have intervened in the name of humanity, and to the great temporary advantage of the inhabitants of the one region "where Black rules White." The United States, in pursuance of its theories, has abstained from so doing. It has abstained in the belief that, in the long run and grand result, the inhabitants of Hayti will best work out their problem, if left to work it out themselves. In any event, however, exceptional cases are the rocks on which sound principles come to wreck; and, so far as the race of man on earth is concerned, it is better that Hayti should suffer self-caused misfortune for centuries, as did England before, than that a precedent should be created for the frequent violation of a great principle of natural development. Yet the case of Hayti is crucial. Persistently to apply our policy there evinces, it must be admitted, a robust faith in the wisdom of its universal application. The logical inference, so far as the Philippine Islands is concerned, is obvious.

Historically speaking, those now referred to are the only two theories of a national policy to be pursued in dealing with the practical dependencies, which challenge consideration, the American and the British. The others, whether ancient and abandoned, or modern and in use,—Phoenician, Roman, Spanish, French, Dutch, German or Russian,—may be dismissed from the discussion. They none of them ever did, nor do any of them now, look to an altruistic result. In all, the dependency is confessedly exploited on business principles, with an eye to the trade development of the alien proprietor. Setting these aside, there remain only the American, or "Walk-alone and Hands-off" theory; and the British, or "Ward in Chancery" theory. The first is exemplified in Mexico and Hayti; the last in Hindostan and Egypt. The question now in debate for the United States may, therefore, be concisely stated thus: taking the Philippine Islands as a subject for treatment, and the ultimate elevation of the inhabitants of those islands to self-government as the end in view, which is the policy best calculated to lead to the result desired,—the traditional and distinctively American system, as exemplified in the cases of Mexico and Hayti, or the modern and improved British system, to be studied in Hindostan and Egypt?

Subject to limitations of time and space I have now passed in review the great political debates which have occupied the attention

of the American public during the last half century. I have endeavored to call attention to the plane on which those debates have been conducted, and to the noticeable absence from them of a scholarly spirit. The judicial temper and the patience necessary to any thorough investigation have in them, I submit, been conspicuously lacking. Then, starting from the point of view peculiar to this Association, I have examined the issues presented to the country in the last presidential canvass, and, for purposes of illustration, I have discussed them, always in a purely historical temper.

While the result of my experiment is for others to pass upon, my own judgment is clear and decided. I hold that the time has now come when organizations such as this of ours, instead of, as heretofore, scrupulously standing aloof from the political debate, are under obligation to participate in it. As citizens, we most assuredly should, in so far as we may properly so do, contribute to results, whether immediate, or more or less remote. As scholars and students, the conclusions we have to present should be deserving of thoughtful consideration. The historical point of view moreover, is, politically, an important point of view ; for only when approached historically, by one looking before as well as after, can any issue be understood in its manifold relations with a complex civilization. Indeed, the moral point of view can in its importance alone compare with the historical. The economical, vital as it unquestionably often is, comes much lower in the scale ; for, while an approach through both these avenues is not infrequently necessary to the intelligent comprehension of questions of a certain class, such, for instance, as the tariff or currency, it is very noticeable that, though many issues present themselves, slavery or imperialism for example, into which economical considerations do not enter as controlling factors, there is scarcely any matter of political debate which does not to some extent at least have to be discussed historically. Still, though our retrospect has proved this to be the case, the scarcely less significant fact also appears that not more than one presidential canvass in two involves any real issue at all, moral or economical. Of the last twelve elections, covering the half century, six were mere struggles for political control ; and so far as can now be seen, the course of subsequent events would have been in no material respect other than it was whichever party prevailed. Judging by experience, therefore, in only one future canvass out of two will any occasion arise for a careful historical presentation of facts. The investigator will not be called upon ; and, if he rises to take part in the discussion, he will do no harm for the excellent reason that no one will listen to him. In the other of each two

canvasses it is not so. There is then apt to be a real debate over a paramount issue ; and, in all such, the strong search-light of experience should be thrown, clearly and fully, over the road we are called upon to traverse. In every such case, the presentation, provided always it be made in the true historical spirit, should by no means be of one side only. On the contrary, every phase of the record should have its advocate ; every plausible lesson should be drawn. The facts are many, complicated and open to a varied construction ; and it is only through the clash of opposing views that they can be reduced to comparative system, and compelled to yield their lessons for guidance.

As I have also, more than once already, observed, this Association is largely made up of those occupying the chairs of instruction in our seminaries of the higher education. From their lecture rooms the discussion of current political issues is of necessity excluded. There it is manifestly out of place. Others here are scholars for whom no place exists on the political platform. Still others are historical investigators and writers, interested only incidentally in political discussion. Finally some are merely public-spirited citizens, on whom the oratory of the stump palls. They crave discussion of another order. They are the men whose faces are seen only at those gatherings which some one eminent for thought or in character is invited to address. To all such, the suggestion I now make cannot but be grateful. It is that, in future, this Association, as such, shall so arrange its meetings that one at least shall be held in the month of July preceding each presidential election. The issues of that election will then have been presented, and the opposing candidates named. It should be understood that the meeting is held for the purpose of discussing those issues from the historical point of view, and in their historical connection. Absolute freedom of debate should be insisted on, and the participation of those best qualified to deal with the particular class of problems under discussion, should be solicited. Such authorities, speaking from so lofty a rostrum to a select audience of appreciative men and women could, I confidently submit, hardly fail to elevate the standard of discussion, bringing the calm lessons of history to bear on the angry wrangles and distorted presentations of those whose chief, if not only, aim is a mere party supremacy.

CHARLES FRANCIS ADAMS.

## THE CREDIBILITY OF EARLY ROMAN HISTORY<sup>1</sup>

A REPROACH frequently cast at those who are engaged in the study of classical antiquity, is that their subject-matter has been worked over so long and so often that no further results can be obtained that have any value for men of the present. When new fields of research are so widely spread around us, it is worse than foolish to spend the time and effort on the old. Be this as it may, there is still one phase of the study of classical antiquity which has so far escaped the general condemnation. History, even of the olden time, has not yet become the object of the scorn of exponents of the latest educational ideas, and is in fact very much in vogue. The historical method must be applied, and rightly, to all branches of scientific study, and in spite of the unwillingness on the part of many to recognize the fact, it has been true for some years that teachers of the classics have insisted that the full culture-value of their subject could be obtained only when proper attention was paid to the social, political and economic conditions under which the literature was developed.

If we look carefully to the history of the world, what can be more important than a correct appreciation of the early centuries in the history of Greece and Rome, periods during one of which were developed the literature and art which have ever since been the unattainable standard of the world, and during the other of which that power arose which has been the paramount influence in law and government in all succeeding ages. Certainly we can not be accused of dealing with dead issues in laboring over the problems presented to us in either of these fields, and it is to the nature of the early history of the city of Rome that I now ask your attention.

It is a mere commonplace to remark that the earliest stages in the history of most peoples present very great difficulties in the way of arriving at anything like the exact facts, and this is usually due to the insufficiency of evidence that has come down to us, and to the inevitable errors resulting from the nature of tradition. In the case of the early history of the greatest city in the world, the difficulty is immeasurably increased by the well-known fact, that

<sup>1</sup> An address delivered by the President of the American Philological Association at its annual meeting, held in Cambridge, Mass., July, 1901.



in addition to all the errors inherent in the methods of transmission, we have to do with a considerable amount of material which is known to be the product of the deliberate invention of later times. So while the problem becomes exceedingly perplexing, the eagerness of scholars to solve it, becomes correspondingly keen. Nor can it be said that time and labor expended on its solution are wasted, so long as any hope remains of arriving at something like the real facts.

There are certain peculiar features in the case of Roman history, the most noticeable of which is the character of Roman literature, on which we must depend so much for our information. Here is no developing native product, but a literature due to foreign impulse, and worked out in conscious imitation of Greek models, both as regards form and substance. The earliest annalists of Rome intentionally followed their patterns, and the elimination of the Greek from the native is one of the most difficult parts of the problem. Most noticeable again in its effect upon the tradition of Roman history, was the servile attitude maintained towards Rome by the rest of the world after the Punic wars, which resulted in a deliberate falsification of everything in favor of the dominant power. With a very few apparent exceptions like Metrodorus of Skepsis, almost all historiographers of that period took part in the general chorus of adulation, entirely regardless of the truth. A third peculiarity of the situation is the presence of what was really an official or "canonical" tradition. The methods employed by the Greek and Roman manufacturers of early history, had resulted in the promulgation of numerous narratives of the same events, so contradictory as to disturb even the Romans themselves, and to bring about the formation of a sort of official version which became in a sense "canonical," and was generally accepted by the principal writers of the post-Ciceronian age. This is the account that Livy, for instance, usually presents, although all our historians do not hesitate to give very frequently other versions along with the "canonical." These conditions were recognized by the Roman historians themselves, but with hardly an exception, they failed entirely to develop what we call the critical method. Beyond a certain point this could not have been expected, but it is a source of surprise and disappointment that we have to wait until the close of the first century to find a Roman Thucydides.

The legacy of Rome, then, to the world, so far as her own early history is concerned, is a mass of fable, fact and fancy, inextricably interwoven, and commended to us by all the charm of Livian rhetoric, and this inheritance has been accepted and enjoyed with-

out question or cavil, by the vast majority even of scholars until very recent times. But it was inevitable that a day of reckoning should come, and as we all know, it was in the study of Niebuhr that the demolition and reconstruction of Roman history began. Niebuhr, Schwegler, Mommsen! Three mighty names to conjure with, and how great a contribution to the science of historical criticism they represent! But as in all other departments of human knowledge, where room for the erection of what is to last forever must be cleared by the destruction of what is insecure, the pendulum of belief swings widely but irregularly, sometimes rapidly, sometimes slowly, and it is long before the stable equilibrium of admitted fact is reached.

So in the matter under discussion, we have passed through the stage where all that has come down to us about the regal period was ruthlessly cast aside as absolutely false, the succeeding stage when men were inclined to see much that was true beneath the overlying strata of legend, then a stage when, in some quarters at least, an almost medieval attitude of belief was assumed, and now finally a period when even the first condition of skepticism seems to be well-nigh surpassed. There is, if we may so speak, a very renaissance of unbelief with regard to the first three centuries of Rome's existence. This oscillation may be paralleled perhaps by the change in the position of scholars with respect to the Old Testament, and in the field of Roman life, by the varying estimates of Cicero, his character and influence. From Drumann and Mommsen to Aly and Zielinski is a far cry, and between them in time and opinion we find everything from entire repudiation of a political renegade to unquestioning faith in the saviour of the commonwealth. But as the latest voice of Ciceronian criticism has tended to rehabilitate the great orator, the latest voice of historical criticism, uttered too by a descendant of the Romans themselves, is the most powerful yet heard in the attack upon all that tradition has handed down concerning the early history of Rome.

I refer of course to Ettore Pais and his great work *La Storia di Roma*, in the first two volumes of which he has discussed the history of Rome down to the time of Pyrrhus, and while following out the lines laid down by Mommsen in the *Roemische Forschungen* has gone far beyond that great man in the scope of his work, comprehensiveness of treatment and importance of results.

It is the misfortune of modern Italian scholarship that it has been so completely eclipsed by the transalpine; and the paucity of men of the first rank in the present generation has caused the world of scholars to look with suspicion upon an Italian book. But here at

least is a man to be reckoned with, and whether his conclusions are accepted or rejected, they can not be ignored, and his material and methods must be studied with the utmost attention. Apparently the importance of his work has so far been overlooked except by a very few. This is natural and excusable, particularly in this country, where the prevailing attitude towards the work of Italians is illustrated by the fact that up to the middle of last February, this book, though issued in 1898 and 1899, had not been placed on the shelves of the library of one of our most famous universities.

Before proceeding to the discussion of the results of this latest investigation of the sources of our knowledge of early Roman history, our attention should be fixed upon a factor in the problem, not new by any means, but which has recently assumed much larger proportions than formerly, that is the control exercised over results obtained in other ways by archaeological and topographical discoveries. The increased importance of material of this kind finds an excellent illustration in the information which has come into our hands as a result of the systematic excavations carried on in the Forum and Comitium during the past two years and a half. It was to be expected that in the archaeological remains of these two spots—one the center of Roman political life, the other the center of all else—much would be found to help in tracing the course of development of the city itself, as it was marked in monuments of brick and stone, monuments which could hardly be falsified by succeeding generations.

In general too little attention has been paid to the reciprocal relations of topography and history. Due weight has been readily given to the influence of environment upon the development of the individual, but there has been a failure to recognize the direct bearing of topographical conditions upon the historical progress of a nation, and to see how much with regard to the latter may be inferred from the former. As a matter of fact, the discoveries made within a space twenty feet square at the edge of the Comitium have precipitated a violent struggle between those who accept the traditional account of the regal period and those who do not, and the final settlement of the questions raised by these discoveries may go a long way in determining our attitude toward that tradition. To be sure the problem suggested here is not purely topographical but involves other elements as well, and the point may be better illustrated in a very simple case by noting that topographical conditions prove at once that Livy's account of the settlement of many thousand Latins in the valley *ad Murciae* in the days of Ancus Martius, must be absolutely wrong.

In view of the certain additions which have been and will continue to be made to our knowledge of the material remains of ancient Rome, and the publication of so notable a book as that of Pais, no apology is necessary for directing our attention again to the credibility of early Roman history, and we can perhaps do no better than follow our new leader in a brief review of the character of some of the sources from which information as to the events of the early period is derived, and of some of these events themselves.

At the very outset one must note the strange contrast that exists between the remarkable amount of detailed information given us by the annalists and the comparatively late period at which they did their work. There is a still greater contrast between this elaborate history and that of other peoples at the same relative stage of development, like the peoples of the east and of the Greek cities. If we know so little of the history of Magna Graecia before the fourth century, how is it that we know so much about Rome in the eighth and seventh?

Now it is as certain as anything can be, that the literature and culture of the Romans were due to Greek influence, and, necessarily, that what is related of their early history must have been due in some way or other to the labors of Greek historiographers transferred to native channels. The earliest Roman annalist wrote in Greek in the time of Hannibal, which two facts are enough in themselves to suggest the source and character of his story. We are told expressly that those who first wrote the history of Rome were Greeks, and their interest in things barbarian and Roman arose as a result of the intercourse between Greeks and Romans in the fifth century, when the Siciliotes and inhabitants of the Greek cities in southern Italy were necessarily brought into contact with the rising power of Rome. But though the earliest notices go back so far, it was not until the third century that Greek historians seem to have busied themselves especially with Rome, and the reason for this is easy to see. When in that momentous struggle between Greek and barbarian which culminated in the defeat of Pyrrhus, it became plain to every one that the seat of empire had been removed across the Adriatic, the clever Greek read the signs of the times and fell at once to describing, with or without knowledge, the beginnings and history of this new power. The form in which their narratives were put forth, determined all subsequent conceptions of the early history of Rome.

When these Greeks and their earliest Roman followers attempted to write the history of the first centuries of Rome, what had they in the way of records? The statement often made by the writers

of the Ciceronian period, that all monumental records such as statues, laws and inscriptions of various sorts, had perished in the Gallic invasion, must be true for the most part, but supposing that some of these monuments were in existence—and the discovery of the old inscription and surrounding structures in the Forum proves that some did survive—it is hardly possible that they would have been used to any great extent in working out the history of the earliest times. The evidence of the few fragments that now remain from the early days agrees with what we should infer from arguments of another kind, in showing that, if there had been no destruction like that wrought by the Gauls, there would have been few monuments of a sort to afford reliable historical information of a remote period. There is therefore little account to be taken of matter outside of oral and written records. The banquet songs described by Cato were doubtless a familiar feature of daily life, but even without the distinct repudiation of Cicero and Livy, we should recognize at once their worthlessness as historical documents.

The *Annales Maximi* were according to Cato's statement a list of magistrates, prodigies, eclipses and the price of corn. But these meager lists can not have made up those eighty rolls which Cicero describes and which contained the history of the city from the beginning down to 133 B.C., and which were diffuse enough to contain Piso's story of Romulus's use of wine. These *Annales* were written out long after the beginning of Latin literature, and owed their form and much of their content to the annals of the Greeks. In Pais's words, "The little that we know of them reveals such a direct imitation of the Greek writers, such abundance of words, or as we might better say, such garrulity, as suited the chatter of barbers [*quelle ciancie di barbieri*] which Polybius censures in Sosilus and Chaerea, the historians of Hannibal, but which did not suit in any way the redaction of state documents, compiled at a tolerably early date." No fragment of the *Annales Maximi* in our possession belongs to a redaction earlier than the third century. In short, after Pais's keen critique, it is difficult to see in them anything but a second century creation, based on the tradition of the great Roman families, the works of early Greek historiographers, and the earliest Roman poets like Ennius, and we must recognize the fact that "these fragments which have come down to us have nothing to do with the most ancient pontifical tablets which were little more than an illustration of the calendar."

The influence of Ennius, Naevius and other early Roman poets, if such there were, in shaping the legendary history of the early period, has probably been greatly underestimated. It can be shown further,

that these poets drew their material for early times, as well as their inspiration from their Greek predecessors and contemporaries. It would be idle to discuss at length the characteristics of these Greeks who approached their subject with no intention or desire to learn the truth, but only to produce a skilfully constructed poem into which could be woven a vast mass of legend and myth, with the natural result that the product was characterized by pure imagination, duplication, and falsification. This compilation of the *Annales Maximi* during the second century, under the influence of the first Roman poets and annalists, gave rise to the formation of what is known as the "canonical" tradition of the origin and early history of the city, and this "canonical" form which was an attempt to correlate divergent accounts, seems to have been put into final shape by Varro in his systematization and arrangement of all existing knowledge.

Our own chief literary sources of information are three, Diodorus Siculus, Livy and Dionysius of Halicarnassus. The two latter give in general the accepted official version, while Diodorus is apt to present divergent accounts, and is usually credited with a greater degree of independent judgment. Nevertheless, the evidence of all three has practically no first hand value. The stream can not rise higher than its source.

Interesting illustrations of the way in which this early history was manufactured, abound on every hand. *Monumenta* of various sorts were made and attributed to the days of the Kings, as the lituus of Romulus, of which Cicero speaks in the *De Divinatione*<sup>1</sup>: "So do not mention the lituus of Romulus which you say could not have been burned in the great fire;" and of which Plutarch says: "It was kept in the Capitol, but lost when Rome was taken by the Gauls; afterwards when the barbarians had quitted the city, it was found buried deep in ashes, untouched by the fire, whilst everything about it was destroyed and consumed." Pliny the Elder<sup>2</sup> describes the costume of statues of the time of Romulus and Numa, and says of the statues of the three Fates near the Rostra: "I should suppose that these and that of Attus Navius were the first erected in the time of Tarquinius Priscus, if it were not for the fact that the statues of the earlier kings were on the Capitol,"—although in a preceding chapter he had expressly stated that the first bronze statue at Rome was made from the property of Spurius Cassius. Livy tells<sup>3</sup> how Romulus vowed the temple to Jupiter Stator in the battle between the Romans and Sabines, but in the tenth book<sup>4</sup> he writes: "Meanwhile the Consul raising

<sup>1</sup> II. 80.

<sup>2</sup> N. H., XXXIV. 22-23.

<sup>3</sup> I. 12, 6.

<sup>4</sup> 36, 11.

his hands to heaven, in a clear voice so that he might be heard plainly, vowed a temple to Jupiter Stator, if the flight of the Roman line should be checked," and a little later<sup>1</sup> having noticed the discrepancy, he continues: "And in this battle a temple was vowed to Jupiter Stator, as Romulus had previously vowed one; but he had consecrated only a *fanum*, that is the site set apart for the temple." Varro, quoted by Macrobius,<sup>2</sup> speaks of seeing a bronze tablet on which was engraved a law with regard to intercalary months, said to have been passed in the year 472 B. C. The most trustworthy account, however, refers this legislation to the year 191 B. C.

We may compare also the epigraphic fabrication related by Suetonius in describing the prodigies that happened at the death of Caesar.<sup>3</sup> A bronze tablet was found in the tomb where Capys was said to have been buried, on which was cut in Greek this prophecy: "When the bones of Capys shall be uncovered, a descendant of Julius shall be slain by the hands of his kinsmen, and soon afterwards avenged by great slaughter throughout Italy." And Suetonius continues: "The authority for this statement is Cornelius Balbus, a most intimate friend of Caesar, so that no one is to suppose it fabulous or fictitious."

To what extent etymology was made to serve the purposes of the historiographer, may be seen on every page of Varro's famous work *De Lingua Latina*, of which the following is a notorious and most instructive example:

"Various reasons are assigned for the name Aventine. According to Naevius, it was derived from *avis*, because the birds came there from the Tiber; according to others the Alban king Aventinus was buried there; and according to others still the word was derived from *adventus hominum* because on that hill the temple of Diana was erected which was a common sanctuary of the Latins."

"I prefer the derivation *ad advectum*, because formerly this hill was separated from the rest by marshes, and therefore people were brought thither from the city on rafts."

The manner in which topographical conditions and facts were utilized is illustrated by the tale found in Ovid, Valerius Maximus and Pliny, to the effect that the horns cut in the arch of the *Porta Raudusculana* in the Servian wall, commemorated the curious experience of a certain Roman praetor, Cippus Genucius, from whose head sprang such horns, as he was leading his army through this gate.

We can understand the direct and formal imitation of Greek models better if we keep in mind the famous definition of Quintilian<sup>4</sup>:

<sup>1</sup> X. 37, 15.

<sup>2</sup> I. 13, 21.

<sup>3</sup> *Jul. Cass.* 81.

<sup>4</sup> X. 1, 31.



"historia . . . est enim proxima poetis et quodammodo carmen solutum et scribitur ad narrandum non ad probandum." From form to matter is but a step, and the process is the same as that illustrated so distinctly in the domain of art. The Romans compared themselves to the Greeks long before Plutarch wrote his *Lives*, and they invented incidents in the careers of their heroes which should correspond to those of famous Greeks. Thus Scipio Africanus was said to have owed his birth to a miracle similar to that which brought Alexander the Great into being, and Tarquinius Superbus copied the procedure of Periander. The inevitable result was that the euhemerism of Ennius destroyed almost all of the germs of native mythology and theogony, and indicated the lines along which Roman historiography must move.

Furthermore, as the Romans themselves tell us, all their historians down to the time of Pompey belonged to distinguished families by relationship or clientage, and this very fact caused them to be at pains to exalt the history of their own clans, a fruitful source of fabrication. But there was another influence at work, and that was the desire to exalt the whole state, and its history. Hence the determined effort to give official sanction to the tradition that the Romans came of Trojan or Hellenic stock, and that they could trace their origin to a time as early as any of the Greek cities.

Two other factors in the formation of this artificial structure, the received story of the early days, were the duplication of events actual or alleged, and the influence of current political tendencies and theories. The duplication of events, that is the assigning of what happened at one time to another much earlier date, in either the same or a slightly disguised form, while not peculiar to Roman history, has there found its widest application. It is not among the least of Pais's services that he has brought out with proper emphasis the great importance of this factor. So numerous are the examples, such as the repeated stories of Manlius, and the explanations of the Lacus Curtius, that it would be useless to linger over them. The reasons for such duplication are patent at the first glance, among them the stereotyped character and conduct of those who belonged to the same house, the desire of succeeding generations to imitate the deeds of their ancestors, and the fact that so many of the clans seem to have assumed in successive years the command against the same foes. Variations in later versions seem usually to have been intentionally made, in order that suspicion might be averted. Consulships, dictatorships and censorships were boldly attributed to the ancestors of those who had held these offices in historical times, and so notorious was the practice that even Cicero and Livy protested



against it. In consequence of this same impulse, events of a later date were thrown back into earlier periods, as the fabled treaty of 508 B.C. between Rome and Carthage, and the establishment of the censorship in the days of Servius Tullius. The same tendency which has assigned to Charlemagne the achievements of more than one man produced such types as Appius Claudius and Coriolanus.

The last factor in the fabrication of Roman history upon which much weight must be laid, is that of the political attitude of the historian and his hero. Cato, as is well known, tried to do something to counteract this evil, by refusing to mention the names of those of whom he was writing, but nothing could have been farther from the purpose of all other Roman historians. One has only to read Livy's account of perfectly historical persons and events, to see how he deliberately warped or suppressed the truth in order to depreciate the services of those who represented opposite political views. Modern colorless critical history was something entirely unrepresentable to the Roman mind. Education in morals and good citizenship, the avowed object of the Roman historian, demanded an expression on his part of what he considered right and patriotic, and a condemnation of the opposite. To the most critical and truth-seeking of Romans, even a writer like Froude would have seemed not only culpably impartial but absolutely impossible.

These elements have been recognized in some degree by all historians since Niebuhr, but the extent of their application has varied. We have in general come to regard the history of the regal period as legendary so far as details are concerned, but no such view has prevailed with regard to the republic. It is true that Mommsen in his *Römische Forschungen* laid down the lines along which the investigation should proceed, and in his essays on Coriolanus, Spurius Maelius, Spurius Cassius and Marcus Manlius, demonstrated the non-historical character of many of the tales from the period of the early republic, but in these particular cases, the subjects were such as would most naturally be derived from mythical sources. Neither in his history nor in his essays, does Mommsen cast any serious doubt upon the truth of the main features of the traditional history of the period between the expulsion of the Kings and the fall of the decemvirate. The attitude of most scholars previous to 1898, may be illustrated by that of Pelham and Shuckburgh in their histories published in 1893 and 1894. Pelham, after explaining the reasons why the history of the early republic is subject to some extent to the same suspicions as that of the regal period, and stating that the "details are of no historical value," proceeds to relate the

course of events in such a way as not to suggest for a moment that he discredits the main features of the narrative. Shuckburgh is much less skeptical and gives his readers to understand that he is treating of what is genuinely historical.

Hardened as we have become to the process of having long cherished beliefs destroyed, and prone as we are to welcome innovations in all things, we can not overcome a sense of dismay at reading statements like these of Pais :

"We arrive therefore at the conclusion that the whole account of the decemvirate, that is the creation of this magistracy, the sending of the embassy to Athens, the codification of the laws of the Twelve Tables, the circumstances and procedure with reference to Virginia, no less than the second secession of the plebs, the following passage of the Canuleian laws, and the revolution at Ardea, are the results of unskilful attempts to combine self-contradictory traditions, and have at bottom no historical or chronological value." . . .

"In the case of all the history of Roman legislation before the decemvirate we are confronted with accounts not originally true and only altered by later changes, but produced by real and deliberate falsification.

"The pretended constitutional history of Rome, described by the annalists of the second and first centuries, is in direct opposition to the honest and sincere declaration of Polybius who asserted that it was difficult to explain the beginnings and successive modifications, and to foretell the future phases of the Roman constitution, since the institutions of the past, both private and public, were unknown."

This means that everything which has been handed down from the years before 440 B. C. is thoroughly discredited, and that the beginning of anything like genuine history must be placed after that date. It is doubtful if anything quite so destructive as this in the field of historical criticism has been effected for many years, and we are overpowered by the almost absolute negation involved. Pains-taking labor and the utmost skill in the employment of great learning, have combined to produce a monumental work of the greatest importance, and one which forces itself upon the attention of all students of classical antiquity.

Process and results are precisely the same for both the regal and early republican periods, but let us look rather at the latter and examine briefly two or three of the main features in the narrative which has come down to us. Perhaps the most noteworthy event in the twenty years after the expulsion of the Kings, was the secession of the plebs to the Sacred Mount, which marked the culmination of the first stage in the struggle between plebeian and patrician, and resulted in the establishment of that most unique of Roman institutions, the tribuneship. The circumstances are familiar to all, how in the midst of wars with Aequians and Volscians, the plebs

were put off again and again with false promises, until after the army had won a victory under the dictator Manius Valerius, and was encamped before the city, the Senate still refused to adopt the necessary reforms. Thereupon the army, by which we must suppose the plebeian part of it to be meant, marched in order to the Sacred Mount, or according to another version to the Aventine, and returned to the city only after their claims had been allowed, in part at least, and the tribuneship established. Half a century later, another secession is described. The decemvirs had refused to give up office, and had, it was alleged, caused Lucius Siccus Dentatus, a veteran of many campaigns, to be foully murdered, while the most notorious of the board, Appius Claudius, had by his attempt to carry off Virginia, forced her father to slay her in defense of honor. The army again marched to the Sacred Mount, nominated tribunes, advanced to Rome and occupied the Aventine. A compromise was negotiated by Valerius and Horatius, and the tribunate again established.

Now the very similarity of these two accounts is enough to arouse grave suspicion, and an investigation of all the attendant circumstances proves that the first secession is but an anticipation of the second, together with some features which repeat the story of the expulsion of the Kings. Thus of the two leaders in the secession, Lucius Junius Brutus and Caius Sicinius, the latter is but the duplication of C. Sicinius, one of the tribunes elected after the fall of the decemvirate, and both these again of that Sicinius who was tribune in 395 B. C., and after the taking of Veii proposed to emigrate thither from Rome and found a new state. The names of the tribunes, either when the establishment of the tribunate in 494 is spoken of, or the increase in their number in 471, or the reestablishment of the institution in 449, show by their identity or similarity, that they represent only repetitions and variations of the same tradition, and that the successive Sicinii or Sicii—for these appear to be variants of the same name—Icili, etc., are due to this process of duplication. So Manius Valerius who pacified the plebs in 494 before the first secession, is the same person, and the occasion the same, that we find described in Livy,<sup>1</sup> where he tells how in 342 the dictator M. Valerius Corvus checked the rage of the army by his eloquence, and again of the same occurrence in 302 or 300. In this latter year, moreover, this same Valerius, when Consul, caused the famous "*lex de provocatione*" to be again approved, which had been already passed twice in previous years, and always on the motion of members of this same family. That is, during the first

<sup>1</sup> VII. 39.

two hundred years of the republic, the passage of the same measure was attributed to the efforts of the same family thrice, which means, of course, that the annalists who wrote under the inspiration of the Valerii, thrust this action of theirs further and further back.

Let us pass over a half century, and take up the narrative of the decemvirate itself. The preceding contests between patricians and plebeians, the chaos resulting from the clashing of Consul and tribune, the sending of an embassy to Athens to learn something of the procedure of the Greeks, the appointment of a board of ten men for the year 451, who should supersede all regular constitutional magistrates and themselves discharge all executive, legislative and judicial functions while engaged in codifying Roman law, the reappointment of this board for the ensuing year although with considerable change in its personnel, the growth of tyranny and the personal ascendancy of Appius Claudius, the illegal refusal on the part of the decemvirs to surrender office at the end of the year and high-handed proceedings in maintaining their position, the murder of Siccus Dentatus, the story of Virginia, the second secession of the plebs, and the consequent fall of the decemvirs and the reestablishment of consular and tribunician government, make up the framework of this story into which is woven a mass of details familiar enough.

At the outset we are met by two and perhaps three distinct traditions which as usual are not only different but irreconcilable. According to the received version, the decemvirs prepared only ten tables during the first year, and were continued in office in order to complete their work, but failing to do so, the last two tables were promulgated by Valerius and Horatius, Consuls in 449 and outspoken defenders of the rights of the plebeians. But this same version states that the law against intermarriage between the two orders was not repealed until 445 through the action of the tribune Canuleius, and by the law, called after him. How was it that Valerius and Horatius did not allow this privilege when they revised and completed the Twelve Tables? Furthermore, according to the received version, there were at least three plebeians among the decemvirs in the second year. How was it that they agreed to the perpetuation of this restriction which is represented as being one of the chief grounds of complaint among the plebeians?

It is evident that the account of this Canuleian law belonged originally to a version of the decemvir story entirely different from that which ascribed to them a bad character, or reckoned plebeians among their number for the second year, and which became afterwards canonical. If the plebeians had been represented among the decemvirs, they would never have submitted to the continuance of

this provision against intermarriage or the subsequent ineligibility of plebeians to hold office. Again, from a reference to Canuleius in Florus it would appear that one version was current, according to which Canuleius was the leader of the plebeians in another secession from the city, this time to the Janiculum. The accepted version then, according to which there were either three or five plebeians among the decemvirs during the second year, who became as tyrannical and ill-disposed towards their fellows as Appius Claudius himself with whom they were most closely associated, involves the highly improbable assumption that they joined with the patricians in putting forth legislation inimical to the interests of their own class, and that after having succeeded in winning so large a proportional representation upon this wholly extraordinary board of magistrates, they consented to be shut out of the consulship for the next three quarters of a century.

That there were other versions, however, dating from an earlier period, seems to be clearly shown by the account of Diodorus, according to whom it was provided in the last two tables, prepared by Valerius and Horatius, that one of the consuls must be a plebeian and both might be. Now it is perfectly certain that this stage in the struggle was not reached before the passage of the Licinian laws in 367, or their extension in 342, so that this version is manifestly the result of anticipation.

A similar confusion in the sources, so-called, is illustrated by the fact that those annalists who ascribed the last two tables to the decemvirs, also attributed to them the insertion of intercalary months, although this action was assigned by others to Romulus, to Numa, to Servius, or to the Consuls of 472.

The Valerio-Horatian laws of 449 were really a part of the story of the decemvirate, and contained, it was said, three principal provisions: first, that no magistrate should be elected from whose judgment there could be no right of appeal to the people; second, that the decisions of the *comitia tributa*, meaning thereby an assembly of the plebeians by tribes, should be binding upon the whole people; and third, that the persons of the tribunes should be inviolable. The first of these provisions was enacted in the year 300 by a Valerius, and Livy states that this was the third time that it had been passed, on each occasion through the instrumentality of a Valerius. The second was said to have been already passed in 471, and to have been presented again in 339 and 287, when by the Hortensian law the step was actually taken. With regard to the last, hopeless confusion prevailed. Livy said that in his time lawyers denied that inviolability was the result of this enactment, and the view that

the aediles were also made *sacrosancti* by this law, is proved to be absurd by the entire absence of any such condition in later times. In Livy's account also, the *decemviri iudices* are mentioned along with the tribunes and aediles, as having been made *sacrosancti*, but these decemvirs can be no other than the board which was afterwards known as *decemviri stlitibus iudicandis*, who had nothing to do with the decemvirs, and never had the slightest claim to inviolability. It is impossible to suppose that those who invented the Valerio-Horatian laws of 449, should have attributed to them the establishment of another decemvirate like the one just overthrown.

The leading figure in the story of the decemvirs, whose lust was the immediate cause of their expulsion, is represented as Appius Claudius, but he is found to be no more truly historical than his predecessors.

"All the Claudii, according to tradition, pursued the same course of political action. All were haughty and open enemies of the plebeians, going to extreme lengths in their opposition to them and always arrogant. This tradition, however, has been shown to be untrue. The Claudii, especially Appius Claudius Caecus, censor in 312, were people of culture, of progressive ideas, looking with favor upon popular tendencies and assisting the plebs, and it is easy to understand why they were described in the annals of their enemies as tyrannical. Furthermore all the Appii Claudii who made their appearance in Roman affairs before 312 are stereotyped characters. The first Claudius, according to the received family tradition, came to Rome in the first years after the expulsion of the Kings, but soon after his reception among the senators, displayed his hatred for the plebs. His descendants exhibit the same tendency; Appius Claudius, consul in 471, was accused by the tribunes Siccius and Duilius, and escaped punishment by suicide in precisely the same way as the hated decemvir of whom he is naturally the double. For this same reason, tradition said that during his consulship and in spite of his opposition various popular measures were passed. In 424 and 416 a Claudius recalls the decemvir; and C. Claudius who in 450 opposed the plebs and the Canuleian rogation acted in the same way as the celebrated censor.

"We are told that this latter, when the time arrived for him to give up office, wished to remain, desiring to accomplish many great reforms; that he gave the sons of freedmen entrance into the Senate, and in order that he might not be forced to render an account of his actions, avoided the meetings of the Senate. This is practically the same thing which that earlier C. Claudius did, who when his colleague P. Valerius had been killed during the siege of the Capitol which had been seized by Appius Herdonius, took pains to prevent the election of a second colleague, and distracted the attention of the people with games, processions and amusements. Finally it is quite probable that some of the marked features of the legend of the censor Appius were taken from the deeds of the later Claudii, especially the censor of the year 169, who in a celebrated case, when he had been accused by the tribunes, came within a very little of being condemned."<sup>1</sup>

<sup>1</sup> Ettore Pais, *La Storia di Roma*, I. 1, pp. 567-569.

The names of the other decemvirs show their unhistorical character. Among the patricians, the family of Romilius, said to have been Consul in 455, is otherwise unknown; that of Rabuleius is nowhere mentioned among the patrician gentes or in the Fasti, and the only other Rabuleius of this early period was a tribune of the plebs in the time of Spurius Cassius. Lucius Minucius belongs with Spurius Maelius who is universally recognized as purely mythical, and after 457 there was no trace of any Minucius until the plebeian of that name became Consul in 305. It is strange to find an Antonius mentioned among the patricians in the fifth century, as the Antonii appeared first as tribunes in 167, and no one of the family was Consul until 92. With regard to the patrician Sestius, it is to be noted that the only other Sestius in the consular Fasti was the famous first plebeian Consul of 366, who was elected to that office in consequence of the Licinian-Sestian laws, and as their provisions were by some annalists assigned to corresponding legislation immediately after the fall of the decemvirate, it was natural to insert a Sestius among the members of that board.

With regard to the Consuls in the year after the expulsion of the decemvirs, Valerius and Horatius, the case is still more striking. The Horatii figure as Consuls in the years 509, 477, 457 and 447, but after this date there is no authentic record of an Horatius among Roman magistrates. The Valerii who appear with the Horatii in this period are only anticipations of the historical members of the family, and the Valerii and Horatii taken together, may be regarded as myths, corresponding to Lycurgus, Theseus and Zaleucus, who occupy the same relative positions in the historical development of Sparta, Athens and Locris. Later rationalism transformed these possible divinities into the two first Roman Consuls, and their appearance after the fall of the decemvirate and the new dawn of liberty for the plebs is a precise analogue to their appearance after the expulsion of the Kings and the bringing in of liberty for the whole people.

With regard to the character of the legislation of the Twelve Tables it must be noted that what has been handed down to us, gives evidence of legal conditions belonging to a period much later than the middle of the fifth century. There was said to have been a statute forbidding the burial of the dead within the city, but according to Servius this law was not passed until 260, in the consulship of Duilius. The making of wills was provided for, although in Sparta, a correspondingly conservative state, no such legislation occurred before the fourth century. Binding force is said to have been given to marriage without the ceremony of *confarreatio*, or



*coemptio*, although such laxity can hardly have been allowed so early, and an institution like the "*trinoctium*," or provision by which a wife, by staying three nights in each year away from home, could avoid coming "*in manum mariti*," appears wholly foreign to Roman ideas in the fifth century. Witness the evidence of the legend of Spurius Cassius who is represented as having no property of his own except the *peculium*. The coining of copper money is known not to have been begun until the middle of the fourth century, but the terms employed in the fragments of the Twelve Tables seem to point indubitably to such coinage.

The legislation of the Twelve Tables must, according to all antecedent probability, have been the result of slow growth, and its traditional form the result of the fusing of various redactions. For it is *a priori* unreasonable to suppose that any such codification, as these Tables are represented as being, should have been made once for all at so early a period. As Athens attributed to Solon a mass of later legislation, so Rome attributed to the decemvirs much that was of later origin. Lycurgus in Sparta, Carondas and Zaleucus in Magna Graecia, and Diocles in Syracuse, illustrate the same process.

The true view, that the legislation of the Twelve Tables comprises in substance the legal development of the fourth century, finds support in the narrative of Appius Claudius, the censor in 312, and Gnaeus Flavius, the scribe of the pontifices, who was raised to the office of curule aedile by the help of Appius. As has already been pointed out, the decemvir was developed from the character and deeds of the censor, and, furthermore, an examination of the work of Flavius has frequently suggested the correspondence between it and that of the decemvirs. "The latter formulated and published the civil law, and freed the citizens from the abuse of the magistrates and unskilful lawyers, the former by publishing the formulas of this law and the list of days for transacting legal business, arrived at the same result. To the decemvirs was attributed the formation of that calendar which Flavius published." So in Cicero's time there was a dispute as to whether Flavius lived before or after the promulgation of the laws of the decemvirs, and some asserted that what he published was afterwards withdrawn from the knowledge of the people. The confusion arising from this double tradition—the publication of the results of the decemviral legislation by the board itself or the succeeding consuls, or by Flavius in 305—gave rise to the further version according to which rights once in possession of the people were afterwards taken from them. The real publication of the Fasti in 305 appears therefore to have been one of the causes for the formation of a story of a corresponding publication at the time



of the decemvirs, and one more link in the chain of evidence against their actual existence.

Once more, according to another version, the publication of the Twelve Tables was said to have been entrusted to the plebeian aediles, although it is manifestly absurd to suppose that so important a matter should have been placed in the hands of minor plebeian officials at so early a date. Careful analysis seems to show that the tradition of the presence of plebeians among the decemvirs, is due to the confusion of the different sorts of decemvirs, *decemviri agris adsignandis*, *stlitibus iudicandis* and *legibus scribundis*, and that their insertion in the last is due to their presence in historical times in the second. The proposal to burn *the* decemvirs is another form of the tale related by Valerius Maximus, in which the tribune Mucius burns his nine colleagues and the history of the turmoil and agitation during the decade between the supposed Terentilian rogation and the decemvirate, is only the duplication of what happened in the decade preceding the enactment of the Licinian laws of 367, which were sometimes identified with those of 449.

Another element in the traditional history of the decemvirate, namely the embassy to Athens, upon close examination proves to be as unhistorical as the rest of the story. In the first place, how is it possible that the names of these ambassadors could have been remembered so exactly, when in Cicero's time men were not sure of the names of those who were sent out in the year 146 to assist Memmius in the reorganization of the province of Greece. The explanation is that Postumii, Sulpicii and Manlii were ambassadors to Greece in the third century, and hence members of these same families were said to have taken part in the first embassy. In the second place, the story of the sending of an embassy to Athens on such an errand, was a result of that same tendency among the historiographers of the two countries to prove the parallelism of their institutions, or at least the imitation of the Greek by the Roman. The choice of the best of Greek legal principles seemed to them a thoroughly characteristic thing for the Romans to make. The relations existing between Athens, the Greek cities in Italy, and Rome, were of such a nature that it would be to Athens that such an embassy would naturally be sent, and the fact that Roman law was anything but an imitation of the Greek was quite lost sight of in the general desire to connect the two peoples in every possible way. To sum up in the words of Professor Pais:

"The story of the decemvirate . . . which we have seen to be false on its external side is no more authentic with regard to its essential or in-

ternal character, and the natural consequence is that the whole account is to be rejected in its entirety as a later invention.

"The pseudo-history from the expulsion of the Kings to the fall of the decemvirs and the conspiracy of Spurius Maelius, consists of two or three parts which are repeated. To the Sabine invasions and the continual wars with Volscians and Aequians, correspond the popular agitations which led to the secessions of 494 and 450, and the creation of tribunes in 493, 471 and 449. All these varying acts in the drama are the result of the simple duplication of the same event."

For the period after the decemvirate and down to the sack of Rome by the Gauls, this rigid criticism discloses a similar chaotic condition of tradition, and it is only gradually, even in this fourth century, that we begin to find trustworthy and accurate historical data.

If now this view of the tradition of the history of Rome for the first three or four centuries be justified, what answers can be given to the two questions that at once present themselves, *i. e.*, Is any credence to be given to any part of this tradition? and What process is to be employed in attempting to separate the true from the false? The answers made to these two questions will condition the method to be followed in reconstructing early Roman history, which is simply the recognized method of modern historical criticism.

As all know, great activity has been displayed during recent years in studying the so-called sources of Roman history, those earlier annalists from whom Diodorus, Dionysius, and Livy and their successors drew much of their information, and attempts have been made to assign relative historical value to these sources. Great critical acumen has been developed in these investigations, but the data are necessarily so meager in most cases, and the temptation to skilful combination and bold hypothesis so great, that one feels an instinctive distrust of the dogmatic conclusions of even the most learned scholars. Not that something has not been really accomplished, and we may, for instance, feel reasonably sure that Diodorus is on the whole more likely to have used better sources than Dionysius, but after all the difference is comparatively slight. In view of the many varying accounts of the events of Rome's early history, the mere fact that one version can be traced to one annalist rather than another, is in itself and usually, no valid reason for believing that it is true, and the answer to the first question may be prefaced by the statement that because *any* particular narrative is told by *any* particular annalist, is in itself no sufficient reason for its acceptance. This acceptance or rejection must rest on other grounds. On the other hand, it is absurd to assume that *all* of this tradition is necessarily false. Such wholesale rejection would be as

irrational as entire and unquestioning acceptance, for it is manifestly impossible, according to the ordinary laws of chance, that some truth should not have entered into the narrative. The answer, therefore, to the first question must necessarily be in the affirmative, and we are immediately confronted with the second, which is infinitely more difficult.

We may, of course, assume an entirely agnostic position, and maintain that it is impossible to discover data sufficient to enable us to unravel the tangled threads of truth and fiction. Or we may take the position that there is some method by which an approximation at least to the truth may be made. This is the only reasonable attitude, and the method of approach must be, briefly, the following. We are in the presence of numerous conflicting versions of early events. One series has obtained wider currency and authority, because it received in antiquity the stamp of "canonicity," and the others have been cast aside for the most part as of less value. This view must be entirely abandoned at the very outset, and all versions from every source admitted as having equal validity. Then, so far as possible, the genesis of each version must be traced out, and its relation in time and place to the others determined, regardless of any preconceived superiority of one over another. This determination of genesis, time and place, and interrelation will in most cases be quite indefinite, but it is imperative that the first step in the process be the assembling of *all* traditional matter with such determinants as can be found. Having this material before us, we proceed to select, accept or reject, not according to any theory of the superior credibility of one supposed source over another, but as a result of the application of principles of criticism that have been derived from other sources of knowledge, that is the testimony and test of archaeological evidence, topographical conditions, comparative law, philology and religion, and the known laws of historical development. For it may be taken for granted that no nation develops and decays in a manner wholly peculiar to itself. Out of this traditional material much will be rejected at once because it cannot be reconciled with the testimony of one or another of the criteria just mentioned. In many cases only one version will be found which corresponds with this testimony, and it may be accepted provisionally. Some cases will occur where two or more versions are equally admissible according to the standards which have been adopted, and as there is no means of coming to a decision between them, historical value must be denied them all,—so far at least as basing any further inferences on them is concerned. The application of this method to the mass of literary tradition, will

leave little in the way of details that can be accepted as trustworthy, but to this little can be added the constantly increasing amount of information as to the gradual course of development, which is supplied by these very fields of research, archaeology, topography, law and religion.

If we are obliged to give up the entertaining details of literary story, we get in their place the infinitely more important and useful general testimony of more trustworthy witnesses. The assumption that it is possible, out of the literature itself, to separate the true from the false, seems to me to have been a fundamental error in many attempts to reconstruct early Roman history, for in the very nature of the case, the judgment must rest in a large part upon an entirely unmeasurable quantity,—the varying conception of historical aim and method held by the Greek and Roman annalists.

SAMUEL BALL PLATNER.

## STUDIES IN THE SOURCES OF THE SOCIAL REVOLT IN 1381<sup>1</sup>

### I-IV.

SOME valuable new sources of the history of the rising in 1381 have recently been published.<sup>2</sup> These, together with the much larger number of others already available, afford ample material for the solution of most of the important problems connected with that attempted revolution. It is the purpose of the following paper to show the need of a thorough revision of the generally accepted account of some of its best known events in the light of all published sources, the old as well as the new. The incidents selected are the two chief crises of the revolt, *viz.*, the conferences between the King and the insurgents at Mile End and Smithfield respectively. The investigation will include the consequences of these interviews, that is to say, the killing of Tyler, the chief leader, and the dispersal of the insurgents, and will involve a discussion of the two sets of demands granted them, showing conclusively the economic and religious character of the revolt.

<sup>1</sup> The usual title of the *Peasants' Rising* is rejected because the peasants were not the only factor of the movement. Among other factors were: the lower classes of the towns, in some cases the municipal governments; there was a general uprising of mesne towns and tenants against the monasteries and similar corporations. In general, it was an uprising of the lower classes against the upper, with a view to changing existing social conditions, and may be appropriately termed a *Social Revolt*.

The author desires to express his deep obligation to Professor John Matthews Manly, of the University of Chicago, for invaluable advice and assistance rendered in the preparation of these *Studies*.

<sup>2</sup> Powell, E., *The Rising in East Anglia in 1381*. Cambridge, 1896. Contains a good general sketch of the revolt in Suffolk, Norfolk and Cambridgeshire, with the poll tax lists for 1381 for Suffolk, a valuable appendix of unpublished jury indictments, and an extract from a chronicle of Abbey St. Edmund's. The latter chronicle, together with other materials, will be found in the third vol. of *Annals or Memorials of St. Edmundsbury*, ed. Th. Arnold (Rolls Series). A very important chronicle among the sources is an extract "*Oute of an anonimalle cronicle belonginge to the abbey of St. Maries in Yorke*," ed. G. M. Trevelyan, *Eng. Hist. Rev.*, XIII., 509-522, which was faithfully and extensively used by Stowe in his *Annales*. Another recent contribution is Réville, A., *Le Soulèvement des Travailleurs d'Angleterre en 1381* (Paris, 1898), containing, besides many Coram Regerolls and ancient indictments, an account of the revolt in Herts, Suffolk and Norfolk, by the author, and an excellent general sketch of the movement by the editor, Charles Petit-Dutaillis. G. M. Trevelyan's *England in the Age of Wycliffe* contains a valuable chapter on the Peasant's Rising. Cf. also James Tait's article on Wat Tyler in *Dict. Nat. Biog.*, and the lately published *Patent Rolls*, 4 and 5 Richard II. Powell and Trevelyan have just published a small volume entitled *The Peasants' Rising and the Lollards*, containing, along with other matters, certain trials passed over by Réville, but used by Trevelyan.

The charming narrative of John Richard Green best embodies the traditional view of the meeting of the King and the people at Mile End:

"On the morning of the 14th therefore, Richard rode from the Tower to Mile End, to meet the Essex men. 'I am your king and lord, good people,' the boy began with the fearlessness which marked his bearing throughout the crisis, 'what will you?' 'We will that you free us forever,' shouted the peasants, 'us and our lands, and that we be never named nor held for serfs.' 'I grant it,' replied Richard; and he bade them go home, pledging himself at once to issue charters of freedom and amnesty. A shout of joy welcomed the promise. Throughout the day more than thirty clerks were busy writing letters of pardon and emancipation, and with these, the mass of the Essex men and the men of Hertfordshire withdrew quietly to their homes."<sup>1</sup>

This extract is based entirely on Froissart, being simply an abbreviation of his narrative, which is too long to be here quoted in full. To the same source may be traced the description of this scene by other modern authorities in so far as they attempt to give details.

Let us examine the other contemporary chronicles recording this event. One of them, a fragment of a chronicle preserved by Stowe,<sup>2</sup> gives an even more detailed account than Froissart. In this source, however, the conference consists of an interview between the King and Wat Tyler, without any of the charming dialogue forming the basis of Froissart's account. Tyler presents a definite series of demands which the King grants in full, after which he retires to the Tower Royal, while the insurgents return to the city to carry out his grant to behead all traitors, wherever they may be found. The other contemporary chronicle in which the event is recorded, a reputed life of Richard II. by an unknown monk of Evesham,<sup>3</sup> varies even more from the account of Froissart. It represents the boy King as being summoned to Mile End under threats of death, and riding timidly to the place of meeting. "Like a lamb among wolves seemed he, as one in great dread of his life, and meekly he entreated the people standing about."<sup>4</sup> The proceedings consisted of an interview between leaders delegated by the insurgents and the King, who was only too glad to grant whatever they demanded and obtain their permission to retire.

No other contemporary chronicles or public documents contain mention of the King's reputed bravery at Mile End, although the demands he granted are elsewhere recorded. Froissart is the sole authority for this attitude. This lack of confirmation speaks against

<sup>1</sup> Green, *Hist. English People*, I. 473. His source is Froissart, IX. 404-406.

<sup>2</sup> *Eng. Hist. Rev.*, XIII. 517 ff.

<sup>3</sup> *Historia Vitae et Regni Ricardi II, Angliae Regis, a Monacho quodam de Evesham consignata*, ed. Th. Hearnius, Oxoniae, 1729.

<sup>4</sup> *Ibid.*, 21-28.

the incident as recorded by Froissart, and its contradiction by two contemporary sources certainly make necessary a careful investigation. This has not been attempted by the latest modern authorities.<sup>1</sup> As Froissart has furnished the basis of this traditional account of the meeting at Mile End, as well as, in great part, of the death of Tyler at Smithfield, and indeed, of other important incidents of the revolt, we shall begin these studies with an investigation of the value of his *Chronicles* as a source of history.

#### 1. THE CREDIBILITY OF FROISSART.<sup>2</sup>

The *Chronicles* of Sir John Froissart are a sort of compendium of European history of his own times<sup>3</sup> and those immediately preceding, grouped about the central theme of the wars between England and France in the fourteenth century.<sup>4</sup> They are divided into four books, of which we are mainly concerned with the second extending from 1378 till 1385, although the conclusions reached will apply in a measure to the whole work.

Even during Froissart's lifetime the work was so popular as to require several editions. There is, however, no considerable diversity of text in the editions of that part of Book II. concerned with the revolt in 1381.<sup>5</sup> The citations of this article will be in the main

<sup>1</sup> Petit-Dutaillis, in Réville, *Soulèvement*, vii., viii.; Trevelyan, *England in the Age of Wycliffe*, 234-235.

<sup>2</sup> Much has been written on Froissart as a historian, but it is of a general nature and throws little light on his value as a source of history: Kervyn, I. Pt. II., Ch. 30; Luce, I. CVII., CXXVI.; Darmesteter, Ch. 23.

<sup>3</sup> The materials for the life of Froissart are to be found chiefly in his two poems, *L'Espinet Amoureuse* and *Le Joli Buisson de Jonece* (Scheler's edition), in stray notices of the *Chronicles* and in records published mainly by Finchart, *La Cour de Jeanne et de Wenceslas*. Suffice it here to say that he was born in 1337, devoted most of his life to poetry and history, and died in the early 15th century, possibly in 1410. The reader is especially referred to Kervyn's edition of the *Chronicles*, I. Pt. I., for the most complete modern biography. Cf. also Introduction to Scheler's edition of the poems; Paulin Paris vs. Kervyn de Lettenhove, *Bulletin du Bibliophile*, XIV. 851-875; 1237 ff; 1249 ff; 1316 ff., 1350. An excellent brief sketch of part of his life is given by Professor G. L. Kittredge, "Chaucer and Froissart" in Kölbing's *Englische Studien*, XXVI. 325-327. Brief accounts will also be found in the French literary histories of Aubertin and Petit de Julleville, as well as in Buchon's first edition of Froissart (by de la Curne de St. Palaye), and in Johnes's translation. Mme. Darmesteter's popular biography (translated by Miss E. Frances Poynter, N. Y., 1895) and two articles by G. B. Macauley in *Macmillan's* (1895, I. 223-230, 194-200) are interesting reading, but hardly scientific.

<sup>4</sup> His own title was *Chroniques de France, d'Angleterre, d'Escoce, de Bretagne, d'Espagne, d'Italie, de Flandres et d'Alemagne*.

<sup>5</sup> According to Kervyn there are three editions of Book II. extant, of which he prefers the third, based on a MS. belonging to the University of Leyden; *Chroniques*, ed. Kervyn, I. Pt. II., 104 ff., 141-142, 363-381. From certain additional matter given in Johnes's translation, it would seem that there was a fourth edition now lost. *Ibid.*, 373-381.

to the excellent modern edition of Baron Kervyn de Lettenhove, the most detailed and as yet the only completed edition.<sup>1</sup> English quotations will be given where practicable in the quaint language of Lord Berners's translation,<sup>2</sup> which best reproduces the flavor of the original.

Few chroniclers of the Middle Age were better qualified for historical work than Froissart. His mental faculties, naturally vigorous, were improved by a school education extending well-nigh to his twentieth year,<sup>3</sup> and by a practical training in association with men of affairs which it was impossible for the usual chronicler, a cloistered monk, to enjoy. He added to these a talent for facile expression which has made his *Chronicles* one of the classics of Middle French literature.

Few chroniclers made more diligent and honest preparation for their work than did Froissart, according to the light he possessed. For with him it was indeed a lifework. At the age of twenty he began an historical account of the battle of Poitiers which he presented to his countrywoman, Isabella of Hainault, wife of Edward III.<sup>4</sup> During the five years of his sojourn at the English court as clerk of the Queen's chamber, he constantly found time, amidst other duties, to obtain information from the warriors and statesmen with whom he came in contact. Diplomatic missions on which he was sent, even to distant countries, furthered his historical preparation.<sup>5</sup> For even then he was recognized as one preparing for important historical work, and was given many facilities of information.<sup>6</sup> This was much more the case after the appearance of the first Book of his *Chronicles*. In the long journeys which he was then enabled to take for the sole purpose of obtaining historical information,<sup>7</sup> he

<sup>1</sup> Brussels, 1870-1872, for the Royal Academy of Belgium, 25 vols., 15 of the text, 10 of various aids to the study. With painstaking researches on all the MSS., the various editions being published in full. Another good modern edition is that for the Société de l'Histoire de France, begun in 1869 by Siméon Luce and continued since his death by M. Gaston Raynaud. J. A. C. Buchon's editions of Froissart in modern orthography are antiquated.

<sup>2</sup> First published 1523-1525, reprinted 1812. Thomas Johnes's translation. (Hafod, 1802-1805, repr. 1874) is fairly accurate, though why authorities like Stubbs and Trevelyan should cite it in preference to the original French, I fail to see.

<sup>3</sup> *Chroniques*, XIV. 2. Cf. the charming account of his youthful education in *L'Espinet Amoureuse* (ed. Scheler), I. 251 ff.

<sup>4</sup> *Chroniques*, II. 5.

<sup>5</sup> He thus traveled in Scotland (*ibid.*, II. 137-138; V. 133; XIII. 219, 256), Aquitaine (XVI. 234; XV. 142), and in Italy as far as Rome (*Joli Buisson de Jonece*, 341-347; *Dit du Florin*, 221-223), besides other countries.

<sup>6</sup> For example, at the birth of Richard II. at Bordeaux, the marshall of the Prince of Wales for Aquitaine bade Froissart record the event, furnishing him with the necessary details. XVI. 234.

<sup>7</sup> E. g., his famous journey to Béarn, his second journey to Brittany, and others. *Œuvres*, ed. Kervyn, I. Pt. II., Chs. 22-23, 25-27.



was received by the powerful of different countries in a manner which leaves no doubt of their opinion of his historical work.<sup>1</sup>

He has himself very prettily described these painstaking preparations :

"Much pains and labor did I have with my work, in many ways ; so much so that I could never have compiled or finished it except by the labor of my head or the sacrifice of my body."<sup>2</sup>

Other passages tell of his love for the work and his resolve to devote his life to it :

"As long as I live, by the grace of God I shall continue it ; for the more I follow it and labor thereon, the more it pleases me. Even as a gentle knight or esquire who loves arms, while preserving and continuing develops himself therein, thus do I, laboring and striving with this matter, improve and delight myself."<sup>3</sup>

He wrote not for his contemporaries alone, but for ages to come ; like Thucydides he knew that his book would be *κτῆμα ἐς δεῖ* :

"For well I know that when I am dead and gone this noble and high history will be in great demand, and all noble and valiant men will take pleasure in it, thereby increasing their good deeds."<sup>4</sup>

Let us now examine more closely this method of acquiring information and its effects on the historical value of his chronicles. This was almost entirely by means of the interview. Now he certainly had excellent opportunities at the courts and castles of the great men with whom he stayed.<sup>5</sup> Still it was not always that he could see important actors and obtain information from them or even from well-informed authorities on the many events he describes. As his ready credulity did not usually permit him to weigh carefully the historical value of the evidence offered, his narrative is reliable or unreliable according to the character of the informant.<sup>6</sup> Nor does he often attempt to increase his knowledge by the study of documents ; these he rarely incorporated in his chronicles, which therefore lack the precision of detail given by such studies.

It is especially important for our purposes to determine the character of Froissart's source of information on the revolt in 1381. According to M. Kervyn de Lettenhove this was no other than

<sup>1</sup> Cf. his reception by Gaston de Foix, and the latter's comments on his history—*ibid.*, XI. 3-4—by the seigneur de Coucy, together with the latter's invitation. XIV. 3-4.

<sup>2</sup> *Ibid.* II., 2. "Moult de paine et de traveil en eue en pluseurs manieres, an-chois que je l'euisse compile ne acompli, tant que de le labeur de ma teste e de l'essil de mon corps."

<sup>3</sup> *Ibid.*, XIV. 3. This and the following passage are not contained in Berners's translation.

<sup>4</sup> *Ibid.*, XI. 2.

<sup>5</sup> For instance, at the court of Edward III., of Wenceslas, Duke of Brabant and Luxemburg, or of Gaston de Foix, Count of Béarn.

<sup>6</sup> Cf. the absurd tales related to him by Espaing de Lyon, which he records in all earnestness. XI. 22 ff.

Robert de Namur, Lord of Beaufort and Chièvres in Hainault, a patron to whom Froissart dedicated an edition of the first book of his *Chronicles*.<sup>1</sup> He was at the court of Richard II. during the revolt, and therefore an eye-witness of some of the most important events. Let us examine the arguments for this hypothesis.

It consists of traces of Robert's influence on Book II., the first indication of which is found in the account of the actions of the sire de Bournazel, French ambassador to Scotland, in Flanders.<sup>2</sup> The latter does not appear in a favorable light, whence M. Kervyn assumes a hostility to the French on the part of Froissart, and consequently the influence of Robert de Namur, who was a devout English partizan. But this is assigning very little consequence to Froissart's impartiality, of which the editor elsewhere thinks so highly.<sup>3</sup> To detect the hand of a particular individual in an instance which at best could be ascribed to one of his political party, of which the chronicler knew many representatives, is hardly warranted. The incident could be of no more than confirmative value for more positive evidence.

Further traces of the same influence are found in two references to Robert in Book II. Under the year 1380 it is briefly recorded that he came with his men-at-arms to aid the Count of Flanders at the siege of Ghent,<sup>4</sup> and in 1382, after a long description of the progress of Anne of Bohemia, Richard II.'s intended wife, from her home to England, we are informed in a few words that Sir Robert escorted her from Utrecht to London, for which the English King and barons bore him great gratitude.<sup>5</sup> But both of these notices are no more than commensurate with the importance of his part of the action described; they might have been recorded of any other individual rendering the same services. If we compare them with the notices of Robert in that edition of the first book, which he no doubt inspired, or with those of Guy de Blois in the second book, of which he was patron,<sup>6</sup> we shall see that Froissart was more generous in his notices of the achievements of his patrons.

<sup>1</sup> *Ibid.*, II. 5. Cf. I. Pt. I., 99-100.

<sup>2</sup> It is related how while waiting for favorable winds at l'Écluse he put on almost royal state. For this and his neglect to pay respects to the Count of Flanders he is summoned into the latter's presence, and is very roughly spoken to by him and the Duke of Brittany. This he does not dare resent, being in their power. *Chroniques*, IX. 123 ff.

<sup>3</sup> *Ibid.*, I. Pt. I., 487 ff.

<sup>4</sup> "La vint messires Robert de Namur servir le conte a une quantite de gens d'armes, ensi que il estoit escrips et mandes." IX. 349.

<sup>5</sup> "Et toudis fu en sa compaignie, depuis que elle vint a Trec en Alemaigne, chils gentils et loyaulx chevaliers, messires Robert de Namur, jusque a tant que elle fu espousee, de quoi li rois d'engleterre et li baron li seurent grant gret." IX. 462.

<sup>6</sup> The editor has himself collected and compared the former passages. I. Pt. II., Ch. 5. For the latter see X. 181-182, 242, 245.

The most important proof of influence of Robert de Namur that M. Kervyn has introduced is, to my mind, the detailed and circumstantial character of Froissart's account of the revolt in 1381, which we know Robert witnessed. Still the fullness of an account does not of itself show the influence of a well-informed eye-witness. There should be other confirmatory circumstances, as, for example, accuracy. This, as in the following studies we shall have abundant cause to see, is almost entirely lacking. More than this, the account contains a number of errors which an eye-witness could not have made. Robert de Namur, who according to Froissart accompanied the King to Mile End, would not have related that the Queen-mother remained in the Tower and was insulted by the insurgents, when it is evident from contemporary documents that she too was with the King.<sup>1</sup> How could a man who must have seen Tyler and the other insurgent leaders at Mile End have said that they were at this time engaged in plundering the Tower and murdering the Archbishop?<sup>2</sup> Nor would one who was present at the audience of the rebel envoy with the King, have confused the insurgent with Sir John Newton, royal ambassador to the insurgents.<sup>3</sup> Moreover, the two notices of Robert which Froissart gives in his account of the revolt are not such as we usually find him giving of an informant. He would probably have recognized his patron's devotion and services more than by merely enumerating him among those who were with the King in the Tower and those who accompanied the King to Mile End.<sup>4</sup>

It is also to be added that M. Kervyn's hypothesis is somewhat at variance with his researches on the time of composition of Book II. For while he assumes this to have been in 1387-1388, he believes that Froissart did not come under the influence of Robert de Namur until 1390-1392.<sup>5</sup> He must certainly suppose, however, that the chronicler obtained his information on the second book between the years it covers, 1378-1385, and the time of its composition. Let us see whether this is likely.

To be quite exact, the date of the composition of Book II. may have been a trifle earlier than 1387. Its limits are fixed by two passages in Froissart's work. In the account of the birth of Catherine of France in 1378 he tells us that she afterwards became

<sup>1</sup> *Ibid.*, IX. 404, *vs.* Riley, *Memorials of London*, 449; *Eng. Hist. Review*, XIII. 517.

<sup>2</sup> *Chroniques*, IX. 403, *vs.* *Eng. Hist. Review*, Riley, as above.

<sup>3</sup> See below, 18, n. 1.

<sup>4</sup> *Chroniques*, IX. 395, 405. Cf. the notices cited in the fourth note preceding: *Chroniques*, XIII. 18.

<sup>5</sup> *Ibid.* I. Pt. II., 104 ff., 141-142, 42-49, 124-125; I. 281.

Duchess of Berry ; now she was married to Jean de Berry in 1386.<sup>1</sup> We also know that Book II. was completed before his journey to Béarn, where he arrived at Orthez on 25 November, 1388.<sup>2</sup> Book II. was therefore written after 1386, and before the autumn of 1388. But all the evidence in our possession goes to show that during this period Froissart lived with Guy, Count of Blois, whose chaplain and historian he was. His description of the progress of the latter from Blois to Bourges, in August, 1386, when on the road to his son's nuptials, seems that of an eye-witness. In July, 1388, he was also at Blois when the Duke of Berry asked for the hand of Lancaster's daughter ;<sup>3</sup> from here he started in 1388 on his Journey to Béarn.<sup>4</sup> The tone of Book II. is that of the French party, to which Guy belonged, while Robert de Namur was an adherent of England. Finally, the character of the references to Guy in the second book establishes the fact that he was the patron.<sup>5</sup>

It is of course not impossible that Froissart saw Robert de Namur between 1381 and 1386. We know that he constantly tried to keep informed on passing events ; indeed, he tells us that his information on the revolt was contemporaneously acquired.<sup>6</sup> But in this case the burden of proof rests with those who would maintain that Robert gave him this information. The probability certainly is that he was under the same influence from 1381 to 1386 as in 1386-1388. For as early as 1373 he received the cure of Lestinnes, which was under the patronage of Guy de Blois,<sup>7</sup> and afterwards gave it up only to accept the more profitable benefice of Chimay from the same patron, and to become his chaplain. No date is recorded for this promotion which brought him into more intimate relations with Guy ; but we know that Froissart remained his chaplain until the Count's death, 12 December, 1397.<sup>8</sup> And while it is impossible to establish with absolute certainty just when Froissart

<sup>1</sup> IX. 44. Cf. III. 82.

<sup>2</sup> *Chroniques*, XI. 3. This was St. Catherine's day. Cf. *ibid.*, 1-2, where he tells us that he had finished recounting the events in Flanders and Picardy before his journey south and before relating the wars in the south. Now these events in Picardy and Flanders are recounted at the close of the second book.

<sup>3</sup> *Chroniques*, XIII. 81-82. Froissart also wrote a pastorelle describing this marriage.

<sup>4</sup> *Ibid.*, 112. This event occurred in 1388, as Kervyn recognizes (I. Pt. I., 315); yet on another occasion, he concludes from the same passage that Froissart was on the banks of the Loire in 1387. I. Pt. II., 109.

<sup>5</sup> This is admitted by Kervyn himself. I. Pt. II., 109.

<sup>6</sup> "J'en parleray et le remonstreray selonc ceque dou fait de le incidensse j'en fuy adont infourmes." *Ibid.*, 387.

<sup>7</sup> *Chroniques*, ed. Luce, I. liv., vi.

<sup>8</sup> Kervyn, XVI. 70, 279.

was under the patronage of Robert de Namur, the indications are that this was before his relations with Guy de Blois.<sup>1</sup>

Neither from the chronological probabilities of the case, therefore, nor from the character of Book II., is it likely that it was written under the influence of Robert de Namur. The character of the account of the revolt in 1381 certainly indicates that it could not possibly have been derived from this nobleman, who was an eye-witness of the event.

From what has been already said it is apparent that Book II. was not written contemporaneously with events,—a fact which holds good for most of Froissart's work, and this fact is of importance in estimating its historical value. This is further proved by two passages in his account of the revolt. One of these has already been cited;<sup>2</sup> in the other he speaks of the punishment of three rebel aldermen of London which did not occur till at least a year and a half after the rebellion.<sup>3</sup> He seems to have kept record of the information he was constantly acquiring in notes or some similar record.<sup>4</sup> By the time he came to write, his conceptions, though possibly improved by additional information and criticism, were much influenced by certain moral and rhetorical purposes which we shall now proceed to examine.

His moral purpose which, singular to say, has not been hitherto noticed, is thus announced at the beginning of the well-known first edition:

"To thentent that the honorable and noble adventures of featis of armes, done and achyued by ye warres of Frâce and Englande, shulde notably be inregistered, and put in perpetuall memory, whereby the prewe and hardy may have ensample to incourage them in theyr well doying, I, syr John Froissart, wyll treat and recorde an hystory of great louage and praise."<sup>5</sup>

<sup>1</sup> The researches of Siméon Luce, which have appeared since Kervyn's make a satisfactory showing to the effect that this was between 1369, when Queen Philippa, Robert's sister-in-law, died, and 1373, when Froissart became curé of Lestines. During this time the book dedicated to this patron was written. *Chroniques*, ed. Luce, I. vii., ix., xx.—xxvii.

<sup>2</sup> Note the words "j'en fuy adont infourmes" in the citation just quoted.

<sup>3</sup> *Chroniques*, IX. 402. "Li IX estoient pour ly et pour le roy, sicom il le monstrerent, et ly troy de la sect de ce mescheant peuple, sicom il fu puissedi sceu et cogneu, dont il le comparent moult chierement." The three were not called to account till the Parliament of October, 1382; in November they were convicted and excepted from the general pardon. *Rot. Parl.*, III. 139; Rymer, *Foedera*, IV. 156; Réville, *Soulèvement*, 190 ff., 198.

<sup>4</sup> Speaking of information acquired on his journey to Béarn he remarks: "Je les mettoie par escript . . . pour en avoir plus fresche memoire ou temps avenir." *Chroniques*, XI. 74. The marshall of Aquitaine thus bade him record the birth of the Prince of Wales: "Froissart, escripvies et mettes es memoire," etc. *Ibid.*, XVI. 234.

<sup>5</sup> Berners, I. 1; Kervyn, I. 4. The above translation is not literal, but gives the full sense of the original.

He writes "pour tous noble cuers encouragier et eux monstrier example et matiere d'honneur," his greatest hope for the future being that from his work all noble and valiant men might take pleasure and encouragement in well doing.<sup>1</sup> His design, therefore, was not to write history as we understand it but to furnish brave knights with a good example. The effect of this tendency is not usually promotive of historic truth. It often causes Froissart to idealize the action and characters of his knights, nobles and kings in a manner not consistent with the actual state of affairs.<sup>2</sup>

He has announced his moral purpose in describing the revolt in the opening remarks on the subject: "Che fu une merveilleuse cose et de poure fondation, dont ceste pestillensse commencha en Engleterre; et pour donner exemple a toutes manieres de bonnes gens, j'en parleray."<sup>3</sup> His purpose was here to furnish a warning example to all good people, to show the sin and folly of such rebellion, and to reveal in the heroism of the civic and rural nobility, and especially of the young King, a shining example for imitation. With such an end in view he could hardly be fair to the rebels.

Froissart's rhetorical purpose must likewise be remembered in passing on the credibility of his work. It must be remembered that he was a poet, who occupies quite a place in French literature.<sup>4</sup> Indeed, his *Chronicles* are of a poetic character and may be fitly termed a poem in prose, for they are garnished with touches which only a poet could invent. They are like an old French romance, save that they are in prose instead of verse, and record actual rather than mythical events; the moral purpose of exhorting to knightly virtues is in each case the same. To this poetic tendency Froissart owes much of the beauty of his style, its charm and grace, its freshness and naivety. But on the other hand his historical trustworthiness is naturally impaired in consequence. Facts are distorted to produce a fine narrative, while touches purely poetic are added without the requisite foundation of truth. Incidents that he thinks probably occurred are often invented.

Froissart's well-known love and admiration for the chivalry of the 14th century, however valuable they make him as a historian of the culture of the upper classes and his work as a manual of chivalry, have disastrously affected his account of the revolt. The

<sup>1</sup> Kervyn, II. 5; XI. 2.

<sup>2</sup> Cf. his idealization of the actions of Sir Robert de Salle. See below; of Richard II. in the fourth and fifth papers of this series.

<sup>3</sup> *Ibid.*, IX. 386-387.

<sup>4</sup> For Froissart's literary value of Kervyn, I. Pt. I., Ch. 30; Luce, I. Introd. Ch.

<sup>5</sup> Aubertin, *Hist. de la Littérature Française au Moyen Âge*, II. Ch. 3; Petit de Julleville, *Hist. de la Langue et de la Lit. Franç.*, II. 316-322.

burgher's son of Valenciennes indeed has appreciation for the struggles of the communes of Flanders; but in general the upper classes alone awake his sympathy. His reputed impartiality is only for those engaged in what he considers legitimate warfare, and never extends to rebellious peasants like the Jacques Bonhommes in France and the English commons of 1381; he has no sympathy for their aspirations. His introductory remarks on the revolt just quoted are characteristic; it is for him a "*pestillensse*," of strange cause and poor foundation; the people are fools, who rebel because they are too prosperous and do not know what they want, under leaders who are rogues and scalawags.<sup>1</sup> Listen to his estimate of the relative worth of the classes in England: "Li gentilhomme sont de noble et loial condition et li commons peuples est de fele, perilleas, orgueilleuse et desloiale condition."<sup>2</sup>

The effect of Froissart's idealization of knighthood, of his moral purpose in describing the revolt, and of his rhetorical propensities may best be studied in some characteristic part of his narrative. A good instance will be found in the charming story of the death of Sir Robert de Salle at the hands of the rebels before Norwich. On Corpus Christi day Sir Robert is summoned to a parley by a great rout of commons from Lynn, Bedford, Cambridge and Yarmouth marching on London under command of a rascal named "Listier." He comes, but in a pretty dialogue refuses the offer to become their leader and ruler of a fourth part of England. They therefore attack him, and he, after prodigious feats of valor, one against thousands, is hacked to pieces.<sup>3</sup>

Although this story bristles with errors,<sup>4</sup> it merits consideration from having been accepted, among others, by no less an authority than Mr. Powell.<sup>5</sup> Contemporary jury indictments, however, and the municipal rolls of Norwich give a different picture of these

<sup>1</sup> *Chroniques*, ed. Kervyn, IX. 386, 405, 406.

<sup>2</sup> *Ibid.*, II. 17. While this comment was written under the impression made by the deposition of Richard II., it also expresses his opinion of the rebels in 1381.

<sup>3</sup> *Chroniques*, ed. Kervyn, IX. 407-409. Cf. the quaint translation of the speeches by Berners, I. 648.

<sup>4</sup> It is well known that the commons of Bedford and Cambridge did not participate in the Norfolk revolt, but were engaged in separate revolts at home. Neither they nor the insurgents of Norfolk advanced *en masse* on London, and had they done so, Norwich lay far to the east of their route. Listere was captain of Norfolk only and remained there throughout the revolt. Cf. the chapters on the revolt in those counties; Powell and Réville, as above. The rebels did not desire to make him their captain and ruler of a fourth part of England, and they had no design of deposing Richard II., but sent envoys to purchase privileges of him. *Rotuli Congregationum Norwicensium*, 4 Richard II. (Bloomfield, *Hist. of Norfolk*, III. 108); Walsingham, *Hist. Angl.*, II. 6.

<sup>5</sup> Powell, *East Anglia Rising*, 29, 31; Rogers's *Hist. of Agriculture*, I. 86-87. Cf. the more conservative criticism of Réville, *Soulèvement*, 103-104.

events. On June 17, not Corpus Christi, the insurgents of Norfolk assembled in camp at Mousehold heath, and were admitted into the city by consent of the council, which in order to placate them went so far as to give them a large sum of money.<sup>1</sup> They proceeded straightway to plunder the houses of Sir Robert de Salle and other of their chief opponents, and on the same day beheaded Sir Robert in their camp at Mousehold. His death was not a tumultuous combat, but conducted in an orderly manner, under legal forms,<sup>2</sup> probably under pretext of the King's permission granted at Mile End—"that they might take those who were traitors to him and slay them, wheresoever they might be found."<sup>3</sup>

Only the basic facts of the incident as recorded by Froissart are true, *viz.*, that the insurgents under command of Listere, which is the real form of the leader's name, assembled before Norwich and there slew Sir Robert de Salle. The details are wrong and may probably be accounted for by the fact that Froissart heard that this nobleman, whom he knew as a valiant knight in the French wars, had been ignobly slain by the insurgents before Norwich. It therefore behooved him, drawing partly on his knowledge, but more on his imagination, to provide his hero with a fitting apotheosis. Nor is this an unfair instance of his method, but one which has been chosen because other sources afford the means of safely controlling it.

Instances of this kind are by no means rare;<sup>4</sup> we shall see two pertinent examples in his idealization of the young King's conduct at Mile End and Smithfield. The basic facts are often comparatively reliable, and may then be attributed to the notes which Froissart took from his informant, contemporary with the events he narrates. The details, however, are so influenced by his moral and rhetorical purposes, by his prejudice against the insurgents and idealization of chivalry that they are not to be depended upon, unless supported by more reliable testimony.<sup>5</sup>

<sup>1</sup> Powell, 27-28; Bloomfield, as above, III. 108, citing *Atlas*, 308.

<sup>2</sup> Cf. the indictments of Henry Roys, of Dilham and Adam Pulter. Powell, 132. They claimed a royal warrant for his execution.

<sup>3</sup> Riley, *Memorials of London*, 449. Sir Robert had publicly condemned their actions. Walsingham, *Hist. Angl.*, II. 5-6.

<sup>4</sup> A similar example is found in the account of the trials of Sire Jean Neuton, supposed captain of Rochester, whom the rebels pressed into service as envoy to the King (IX. 393, 395-396). Froissart probably confused him with Sir John Newton, the royal messenger to Tyler. Walsingham, *Hist. Angl.*, I. 463-464.

<sup>5</sup> Other characteristics of Froissart's work must here be omitted as not having important bearing on the rising in 1381. His geographical knowledge does not prevent him from making errors of place in his account of the revolt. As a man of some military observation his description of armies and battles, and also his estimates of the numbers of forces are usually good. His chronology is often bad, but this is not so evident in our subject, in which no extensive chronological problems are involved.



## II. AN ANONYMOUS FRENCH CHRONICLE OF THE REVOLT.

All students of the revolt owe a debt of gratitude to Mr. Trevelyan for his publication in 1898 of a fragment of a chronicle originally found at St. Mary's, York, under the title of *An Account of the Rising in 1381*.<sup>1</sup> It is taken from the Stowe MS. 1047, in the British museum, and is in the handwriting of Stowe's friend Francis Thynne. Before this publication I had noted the wealth of information on the revolt in Stowe's *Chronicle* not traceable to his other sources of information, and had reconstructed the original in English from his narrative, ascribing it to some lost account, probably of London origin. The appearance of the original, with its greater wealth of detail, more than confirmed my opinion of its value, convincing me that this last is the most valuable of surviving contemporary accounts.

As will be seen from the title given by Thynne, *Oute of an anonimalle cronicle belonginge to the abbey of St. Maries in Yorke*,<sup>2</sup> we have to do with the fragment of a longer work. The part preserved is concerned only with the rising in 1381. Neither Thynne nor Stowe gives us any clue to the character of the rest of the work or to its authorship, beyond the former's statement of its anonymity; in his *Chronicle* the latter cites the *Chronicle of St. Mary's, York*.<sup>3</sup> Although written in French it is evidently the work of an Englishman, for there is a very large admixture of English words, and the idiom of the language is English. From the title given by Stowe we might infer a Northern origin, but the English words of the text do not, as far as I can see, disclose the dialect of the author. There is only one English passage of any length; *viz.* the watchword of the commons, "With whome haldes you," and the response, "With Kinge Richarde and the true comons."<sup>4</sup> The form "haldes" is indeed Northern; but in this case we should expect "wham" instead of whome.

If the work had been written at St. Mary's, York, we should expect to hear something of the grave disturbances in Yorkshire of which we are reliably informed, and of the revolt in the north.<sup>5</sup> But nothing of the kind appears. The events of Kent, Essex and London are the only ones narrated in detail. What occurred in London and the vicinity is as minutely and vividly described as one

<sup>1</sup> *Eng. Hist. Rev.*, XIII. 509-522.

<sup>2</sup> *Ibid.*, 509. "Anonimalle" evidently means anonymous; in Thynne's *Animadversions*, (E. E. T. S., 1875), Introd., 89; we hear of "other anonymalle Chronicles."

<sup>3</sup> Stowe, *Annales* (ed. 1631), 285.

<sup>4</sup> *Eng. Hist. Rev.*, XIII. 513.

<sup>5</sup> *Rot. Parl.*, III. 393; Rymer, *Foedera*, IV. 127, 135.

would expect from an eye-witness of the events. This is particularly true of the events about the King's person; for example, the negotiations for his proposed interview with the insurgents at Blackheath, the vivid description of the siege of the Tower, which is given from the point of view of an inmate of the fortress, the account of the events at Mile End and Smithfield.<sup>1</sup> The source of this information seems to have been some one who was in the following of the King—perhaps a courtier, cleric or lay. For French, in which (instead of the usual Latin) our chronicle was written, was used longer at court than in the country at large. True, the London events, being the most important, merit chief attention, but this will not explain the chronicler's silence in regard to the north, if he really wrote there. Consider how Leicester, where Knighton lived, figures in his account, and St. Alban's in Walsingham's.<sup>2</sup> True, it is not impossible that Thynne in copying for his friend Stowe omitted northern events, but this is rendered unlikely by the fact that he did copy the account of the revolt in Norfolk, Suffolk, Huntingdon and at Ramsey.<sup>3</sup> The title *Chronicle of St. Mary's, York*, is therefore a misnomer, so far as the origin of the work is concerned, and I prefer to refer to the surviving fragment as the *Anonymous French Chronicle of the Revolt*.

Its date is indicated by a passage in which the author refers to the death of John Wrawe, leader of the Suffolk insurgents, an event that did not occur until the parliament which met in June, 1382.<sup>4</sup> I do not think that he wrote long after this date, for in vividness and detail as well as reliability, he bears every mark of being a contemporary. His vividness is not like that of the rhetorician Froissart, but crude and native, resulting from a knowledge of facts. Compared with other chroniclers his account, though full of new matter, is usually confirmed by their less detailed versions. He seems to have made careful use of such documents as he could get, giving one in full and the substance of two others, probably derived from having heard them pronounced.<sup>5</sup> One of these we are able to compare with an original; that is, in the case of the demands of the insurgents at Mile End, and we find it substantially correct.<sup>6</sup>

<sup>1</sup> Pp. 513-514, 516, 517, 518-519.

<sup>2</sup> In the *Historia Anglicana* more than half of the narrative, 36 of 71 pages, is devoted to the St. Alban's disturbances. Knighton, II. 142-143.

<sup>3</sup> Pp. 521-522.

<sup>4</sup> *Eng. Hist. Rev.*, XIII. 521: "Sire Johne lauandit, le Chieftaine, fust apres prist come traitour et amene a Londres, et foreiuge a la morte; et fust trayne, bowelle, pendu et decolle." For date of his execution see Réville, 156; Walsingham, *Hist. Angl.*, II. 63.

<sup>5</sup> *Eng. Hist. Rev.*, XIII., pp. 516, 517, 519.

<sup>6</sup> Cf. *ibid.*, 517 with Rymer, *Foedera*, 126.

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The foregoing statements apply particularly to the author's account of the meeting at Mile End. The narrative is vivid, the actions and speeches of the King and the insurgents are recorded in detail, yet without theatrical effect. In reciting the articles granted he does not use the order found in the royal order of revocation, as one having this before him would have done;<sup>1</sup> and yet he gives them correctly. He adds to the list given on the *Revocation* other articles, the authenticity of which is proved in one important instance by the city record of the rebellion.<sup>2</sup> These deviations from the official account indicate clearly that the writer was not a copyist who had access to the documents, but, in all probability a man who had actually heard the articles pronounced at Mile End.

### III. THE MONK OF EVESHAM'S CHRONICLE.

The task of investigating the historical value of this work is the more difficult because of the antiquated character of the only published edition—that of Hearne in 1729—and the absence of recent research on the subject. As edited by Hearne it is taken from a manuscript of the Cotton library (Tiberius C. ix. 1), collated with another (Claudius B. ix.), of the same library.<sup>3</sup> The text does not begin with the birth of Richard II., as we should expect of a biography, but with his accession in 1377, and ends not with his death in 1400, but with 1402. It treats the affairs of the kingdom in general, and not the actions of the King in particular. Richard is by no means the hero of the work, and wherever he is commented upon—only three times,—the comment is unfavorable.<sup>4</sup> In fine, this is in no sense a biography, but a chronicle, and the generally accepted title *Vita Ricardi II* is a misnomer.

Luckily, there is still further evidence as to its character. The Harleian manuscript 2261 of the British museum is an English translation of Higden's *Polychronicon*, certainly made in the 15th century, and according to a surmise of the editor, between 1432 and 1450.<sup>5</sup> Up to 1341 it follows the text of Higden, but in the middle

<sup>1</sup> As did, for example, the monk of Evesham, p. 32.

<sup>2</sup> Riley, *Memorials of London*, 445.

<sup>3</sup> Mon. Evesham., XXIX. The account of the deposition of Richard II. contained in the Tiberius MS. and appended to the text is not an integral part of the *Vita*, but bearing a brief introduction, is taken entirely from the Parliament roll of that year. *Ibid.*, 182-216; *Rot. Parl.*, II. 417-424. No conclusions as to the date and authorship of the *Vita* can be drawn from the account of Richard's deposition. This account is shown to be of late origin by a reference to the interment of Richard II. at Westminster, which took place under Henry V. (p. 183); the postscript in this MS., immediately following it, contains an error impossible to a contemporary, when it confounds Henry IV. with Edward IV. (p. 216).

<sup>4</sup> *Ibid.*, 147, 156, 169-170.

<sup>5</sup> *Ranulfi Higdeni Polychronicon* (R. S. '65), I. lxix; VIII. 428-518.

of that year it suddenly changes, following a new source.<sup>1</sup> The part of this continuation dealing with the years covered by the monk of Evesham,—1377–1402—is a literal translation of his work.<sup>2</sup> The other part of the *Continuation*, viz. 1341–1377, evidently forms an integral whole with the remainder, for the style and language are the same, and both parts bear the same relation to contemporary chroniclers. The Evesham chronicle, therefore, is a fragment of a Latin original used by the author of the Harleian MS. as a basis of his translation of a continuation of the *Polychronicon*. This Latin original was probably itself a continuation of that work, in which form we are told the so called *Vita Ricardi* most frequently appears.<sup>3</sup>

The relation of the monk of Evesham's work to the *Chronicon Angliae* and to Walsingham's *Historia Anglicana* has often been noticed, but never exactly determined.<sup>4</sup> While this cannot be conclusively settled without comparison of all the manuscripts, we can nevertheless gain from the published sources a sufficiently clear idea to enable us to grapple with the problem of the authorship of the supposed *Vita Ricardi*.

With the exception of a few unimportant notices, the first three years of the *Vita* are taken from a source common to the *Historia* and the *Chronicon* in which the narrative was much fuller. This is less the case for 1380, while for 1381 the *Vita* is almost entirely independent.<sup>5</sup> From 1382 there is an increasing use of the common source of the other two, especially from 1384 to 1387, where the verbal coincidence with the *Chronicon Angliae* is very marked.<sup>6</sup> With 1387 the latter virtually closes, and in 1388–1389 the agreement of the *Vita* with the *Historia* is well-nigh verbal. This is also true for 1390, save that some additional matter is given.<sup>7</sup> With 1391 all traces of agreement disappear, and where the same incidents are narrated they are seemingly from a different source.<sup>8</sup>

<sup>1</sup> *Ibid.*, VIII. 339, n. 10.

<sup>2</sup> The editor fails to notice this, and laboriously collates the text with Walsingham's *Historia Anglicana* and the *Chronicon Angliae*.

<sup>3</sup> *Chron. Angliae*, XXXIII. n. 1.

<sup>4</sup> Pauli, *Geschichte von England* (Gotha, 1855), IV. 729, who thinks its original was the *Hist. Angl.*; cf. the marginal references, *Polychronicon*, VIII. 729 ff.; *Chron. Angl.*, xxvi. xxxiii.

<sup>5</sup> Mon. Evesham., 22–35; *Chr. Angl.*, 285 ff.; *Hist. Angl.*, I. 450 ff.

<sup>6</sup> Mon. Evesham., 36–37, 41, 48; *Chr. Angl.*, 355, 357; for 1384–1387, Mon. Evesham., 56, 58–59, 63–65, 70–72, 72–79, 84–91, 97–98; *Chr. Angl.*, 361–362, 362–364, 365–367, 368–370, 370–376, 378–384, 386–387.

<sup>7</sup> Mon. Evesham., 98–120; *Hist. Angl.*, II. 179–195; for additional matter in 1390, *ibid.*, 122–123.

<sup>8</sup> E. g., the account of the Queen's death and of the King's journey to Ireland; as above, 125–126; II. 215–216.

From 1377 till 1390, therefore, the *Vita* agrees in the main with these sources, often with both, and in case of difference with one the other. The tendency is to verbal agreement with the *Chronicon*, the *Historia* being generally more elaborate. As we already know that the former is copied mainly from a St. Alban's chronicle, which in an expurgated form is the basis of the latter,<sup>1</sup> it follows that the monk of Evesham used this same original, and that where not abbreviated he represents it more nearly than does Walsingham, who rewrote and improved.<sup>2</sup> Sometimes, indeed, when combining the narratives of both, he represents it more accurately than either. The *Chronicon Angliae* itself tells us, when referring us for further information in regard to the degradation of the cardinals by Pope Urban in 1385, that this original was brother Thomas Walsingham's *Chronica Majora Sancti Albani*.<sup>4</sup>

But although the *Chronica Majora* form the basis of the *Vita* to 1390, the monk of Evesham by no means confines himself to this source. He frequently adds notices of his own, particularly in connection with the monastery at Evesham or the Parliament,—two subjects in which he was particularly interested. His account of the sessions of Parliament is more extensive in proportion to the scope of his work than Walsingham's, and he frequently adds information not given by him.<sup>5</sup> He evidently placed a high value on documents, not only incorporating those in the *Chronica Majora*, but adding from other sources. In one instance when enumerating the heresies and errors of Wycliffe he follows an official document instead of his usual authority, Walsingham.<sup>6</sup>

With the year 1391 the character of our chronicle suddenly changes. Up to this time the narrative was detailed, now it suddenly becomes very brief. The account for that year comprises hardly half a dozen lines,—a mere statement of the holding the Parliament, and of the result of the visit of a papal nuncio.<sup>7</sup> The account of the following year does not occupy even a page of Hearne's text, and 1393, 1395 and 1396 require but little more, 1398 being

<sup>1</sup> *Chron. Angl.*, XXI. ff.

<sup>2</sup> Mon. Evesham., 71 ff.; *Chron. Angl.*, 369 ff.; *Hist. Angl.*, I. 144 ff.

<sup>3</sup> As above, 70-71, 369, II. 143; or 74, 371, II. 146.

<sup>4</sup> *Chron. Angl.*, 364. The specified information, unquestionably taken from this source, is found in *Hist. Angl.*, II. 122-123.

<sup>5</sup> In 1385, for example, we receive additional information in regard to the Marquis of Dublin, and the treasure granted the new dukes; in 1390 about those incapable of receiving pardon and the taxation granted. The account of the Parliament of 1381 is based on a different source. Cf. Mon. Evesham., 66-67, 121-122, 34-35, with *Hist. Angl.*, II. 140-141, 195-196, 44-46.

<sup>6</sup> Mon. Evesham., 37-40, identical with *Fasciculi Zizaniorum* (R.S. 1858), 275-282; cf. *Hist. Angl.*, II. 58-59.

<sup>7</sup> P. 123 ff., for this and the years immediately following.

somewhat more detailed, though not so much so as the years preceding 1391. The events of 1397, however, are treated at great length, especially the proceedings of Parliament, which are taken from the Roll or some other journal.<sup>1</sup> The same is true of 1399, and until the end the narrative maintains this detailed character. The change in the character of the work with 1391 leads us to inquire whether a new author began with that year. It has been generally supposed that there was but one author, an unknown monk of Evesham. But M. Petit-Dutaillis has lately advanced the opinion that while a monk of Evesham may have written the latter part, the first is by another hand.<sup>2</sup> It is to be regretted that he does not support his opinion by the reasons which he doubtless had in mind.

The observations just made in regard to the changed character of the *Vita* with 1391, both as to the sudden transition from a detailed account to a mere narrative, and as to the cessation of the use of Walsingham from that date, at first sight speaks for this view. Furthermore the character and frequency of the references to Evesham certainly show that the author of the latter portion was a monk of this place. Without mentioning the name of the monastery he speaks of Evesham in 1401 as "*hoc monasterium*," and in 1395 he speaks of the presence of the King at the installation of the same bishop at Llandoff and then at Worcester as seeming "*mirable in oculis nostris*."<sup>3</sup> In 1393 we hear of the death of Prior Nicolas of Evesham after a rule of forty years and one month; in 1399 of Henry IV.'s passage through the town, and in 1400 of a pestilence which raged with especial violence in the vale of Evesham. We are told that the King remained in the monastery two days in 1400 and three in 1401; during the latter year he visited there three times in one year,—an honor unheard of in the annals of the house.<sup>4</sup>

But unfortunately for M. Petit-Dutaillis's hypothesis we find an equally explicit reference to Evesham in the first part of the work. In 1384 the author gives a minute account, far longer than any of those mentioned above, of a difference between the Prior of Evesham and the Archbishop of Canterbury on occasion of the latter's visitation of the monastery. The incident is given in such detail (occupying two pages of the printed text) as could only be expected

<sup>1</sup> *Ibid.*, 131, 157; *Rot. Parl.*, II. 348, 416, for 1397 and 1399.

<sup>2</sup> Réville, *Soulèvement en 1381*, ix.

<sup>3</sup> P. 127; p. 176: "Et hoc jam tertio manifestus est rex iste Henricus infra annum in hoc monasterio, quod non putatur aliquem regem fecisse a tempore foundationis usque in praesens."

<sup>4</sup> Pp. 124, 152, 170, 173, 174; 176. Cf. the preceding note.

from a monk of the abbey.<sup>1</sup> Besides this, there occur certain characteristics both before and after 1391 which point to a single author for the entire work. We noticed above the importance ascribed to Parliaments in the first part of the work. This is much more the case in the latter part, where the greater portions of the narratives for 1397 and 1399 are taken directly from the Parliament Rolls. The chronicler's fondness for documents continues throughout the work, even if we except the documents derived from Walsingham.<sup>2</sup>

The same author, therefore, a monk of Evesham, wrote the entire work. His independent part began with 1391, and the brief and incomplete character of the account during the years following can be best explained by the supposition that he wrote from memory. Even his long account of 1397 is certainly not contemporary, but derived from a Parliament Roll; for in speaking of the murder of the Duke of Gloucester he promises to tell of it in its proper place, which is not done till 1399.<sup>3</sup> The account of this latter year is detailed and valuable, and, making allowances for what in 1399 is copied from the Parliament Roll, the same detailed character prevails throughout the remaining narrative. Beginning with the reign of Henry IV. the author writes as one would expect from a contemporary residing at Evesham. The struggle with the neighboring Welsh occupies his chief attention,<sup>4</sup> and the repeated times that Henry IV. stopped at the monastery on his way to and from these wars may explain the origin of the chronicle.<sup>5</sup> Why should it not have been written in some relation to these royal visits? It is certainly as favorable to the King as it is opposed to his predecessor, with whose deposition it is in hearty sympathy. Contrast the reflections on Richard's cupidity and extravagance, and the unfavorable estimate of his character, with the commendation of Henry IV., "*pius et misericors et generosus*."<sup>6</sup> If the narrative did not break off suddenly in the middle of the reign of Henry IV., we should probably hear even greater eulogies of this prince.

The account of the revolt in 1381 given by the monk of Evesham is consequently in no wise contemporary. He indeed had access to the *Chronica Majora*, for both accounts contain some remarks on the designs of the rebels and the reputed confession of

<sup>1</sup> Pp. 53-55.

<sup>2</sup> Pp. 28, 38-40, 134-135, 143 (articles of treason), 157-159, 160.

<sup>3</sup> P. 130. "Ut infra loco suo plenius diceretur." In 1399 he relates the incident, stating that he had spoken of it above, "supra enim narratur." P. 161.

<sup>4</sup> Pp. 171-179, 182.

<sup>5</sup> Pp. 173, 174, 176.

<sup>6</sup> Pp. 147, 156, 169-170, 165. He has also omitted the passages detrimental to John of Gaunt, contained in the *Chronica Majora* and preserved in the *Chron. Angliæ*, 195-196, 199-200, 205, 210-211.

Jack Straw;<sup>1</sup> but with this exception their narratives differ entirely. The Evesham narrative is independent of all the other chronicles. The question therefore arises whether this independent part is due to the author himself, and consequently the mere personal opinion of a monk in a western priory, or whether it was derived from an older source. The latter seems probable from the nature of the account, which, save for brief references to Norfolk, Suffolk and Huntingdon,<sup>2</sup> confines itself exclusively to the events in and about London. In striking contrast to other contemporary chronicles, which give minute local descriptions,<sup>3</sup> there is not a word about the revolt in the west country, where Evesham lay, although we have reason to believe that disturbances occurred there.<sup>4</sup> The original then seems to have been a London source, and as such is more reliable for London events than the work of a monk in a distant western monastery. The time which we have assigned for the origin of the whole work—the beginning of the reign of Henry IV.—makes it likely that this original source, like the others used, was contemporary.

In our examination of his relation to the *Chronica Majora* we have already seen how the monk of Evesham uses his sources, either abbreviating or else copying verbatim, sometimes indeed omitting parts of the original, but never distorting it. There are interesting and characteristic examples in the account of the revolt. The remarks on the designs of the insurgents terminating in the reputed confession of Jack Straw, agree almost verbally with those of the *Chronica Angliae* and the *Historia Anglicana*, and are certainly taken from a common original.<sup>5</sup> The enumeration in this chronicle of the demands of the insurgents at Mile End agrees entirely in substance and almost verbally with the record in the revocation of pardons.<sup>6</sup> We may therefore assume that this account of the revolt, and certainly the part relating to Mile End, is worthy of belief.

Of the remaining chronicles which notice the meeting at Mile End, Malverne's continuation of Higden and the continuer of Knighton, add almost nothing to our knowledge. Adam of Usk,<sup>7</sup> however, a contemporary lawyer who wrote after the accession of Henry IV., throws a little light on the articles conceded the in-

<sup>1</sup> Pp. 31–32.

<sup>2</sup> P. 30.

<sup>3</sup> Above, 21, n. 1.

<sup>4</sup> Cf. map, Trevelyan, *Age of Wycliffe*, 254.

<sup>5</sup> Mon. Evesham, 31–32; *Chron. Angl.*, 308–310; *Hist. Angl.*, II. 8–10.

<sup>6</sup> Mon. Evesham, 517; Rymer, *Foedera* (ed. 1869), IV. 126.

<sup>7</sup> Malverne, John, *Chronicon*, ed. J. R. Lumby in *Polychronicon, Ranulphi Higden*, Vol. IX., R. S., 1886; *Chronicon Henrici Knighton vel Critthton, monachi Leycestercensis*, ed. J. R. Lumby, R. S., 1889–1895.



surgents.<sup>1</sup> Four of these articles are recorded in the royal order by which they were afterwards revoked, while the official<sup>2</sup> city record of the insurrection, a document issued just after the revolt to justify the action of the mayor and his adherents, gives another article not contained in the revocation.<sup>3</sup>

#### IV. THE KING AND THE PEOPLE AT MILE END.

Let us now proceed to examine the actual occurrences at Mile End, beginning with a brief consideration of the events that led up to the meeting of the King with the insurgents, in order that we may see how it came to take place and what its object was.

On Corpus Christi day, Thursday, June 13, the insurgents by aid of their civic allies entered London. The chief division of their Southern army, which had encamped at Blackheath, straightway invested the Tower, where the King, his council and a large number of the nobility and gentry had taken refuge. Although this fortress was defended by an adequate garrison which, aided by the refugees, might have offered stout resistance, the inmates could not be depended upon, owing to the panic among them.<sup>4</sup> Besides, the rebels were constantly reinforced by fresh hordes hurrying on London, and had on that afternoon intercepted the stock of provisions intended for the Tower.<sup>5</sup>

Who directed the course of government during this crisis? The royal council, frequently mentioned in the sources, was much reinforced by members of the nobility who had taken refuge in the Tower, but its vote was advisory in character. The governing power had heretofore been the ministers and the more intimate circle of advisers composing the privy council. During the minority of Richard II. this body had become practically a council of regency.<sup>6</sup> Among its most influential members were John of Gaunt, then absent on an embassy to Scotland, Simon of Sudbury, Archbishop of Canterbury, the chancellor, and Sir Robert Hales, the treasurer. These the rebels held chiefly responsible for existing misgovernment. Although the chancellor and treasurer had up to

<sup>1</sup> *Chronicon Adae de Usk*, ed. Edward Maunde Thompson. Royal Society of Literature, 1876.

<sup>2</sup> Rymer, *Foedera* (rev. Caley and Holbrooke. Record Commission, 1869), IV. 126.

<sup>3</sup> Riley, H. T., *Memorials of London* (London, 1868), pp. 449-451.

<sup>4</sup> *An. Fr. Chr.*, 516, *bis*; Walsingham, *Hist. Angl.*, I. 458; Mon. Evesham, 26. According to Walsingham the garrison consisted of 600 men-at-arms and a like number of archers.

<sup>5</sup> Walsingham, as above.

<sup>6</sup> Stubbs, *Const. Hist.* (5th ed.), III. 254.

this directed the royal policy<sup>1</sup> in regard to the insurgents, the former had on the preceding day resigned his office,<sup>2</sup> while retaining his place as adviser to the King. But as they, along with most of the remaining ministry, and the chief justices, were prescribed by the insurgents,<sup>3</sup> they could not continue to direct the affairs of state, if the demands of the latter were to be met.

In reading the account of the *Anonymous French Chronicle* we are struck by the prominent part taken by the young King in the councils held in the Tower.<sup>4</sup> While this is partly to be attributed to medieval parlance,<sup>5</sup> and, perhaps, to the desire of the councillors by thrusting the King prominently forward to shield themselves, it may also indicate unaccustomed activity on his part, probably with the desire to save his friends. Still, it is hardly likely that the lad of fifteen years suddenly took the government into his own hands, only to relinquish it as soon as the revolt was over.<sup>6</sup> His conduct was more probably directed by the experienced members of the royal council which surrounded him. Possibly his mother, the Princess of Wales, had much influence upon him.<sup>7</sup>

The important question now before the council was, whether they should yield to the demand of the insurgents that the King in person come and hear their grievances. This is what the insurgents had demanded on the previous day; and the council had agreed to an interview on the morning of Corpus Christi, but terrified at the threatening attitude of the insurgents had hurried the King back to London. Such an interview of course meant acquiescence in their requirements for the execution of the councillors and radical economic reform, for it would have placed the King completely in their power. The council was therefore divided in opinion. According to the generally accepted account of Froissart, one party, led by William Walworthe, mayor of London, advocated a night attack on the insurgents by the combined forces of the Tower and the

<sup>1</sup> *Eulogium Historiarum* (Rolls Series), III. 352; Malverne, 2-3; Walsingham, *Hist. Angl.*, I. 456.

<sup>2</sup> Rymer, *Foedera*, IV. 122.

<sup>3</sup> On the same morning the insurgents demanded the heads of fifteen lords and gentlemen, fourteen of whom were present in the Tower. Among these were John of Gaunt, the chancellor, the treasurer, the clerk of the privy seal, two of the chief justices (*An. Fr. Chr.*, 513). Sir John Cavendish, the other chief justice, was killed by the rebels of Suffolk.

<sup>4</sup> *Ibid.*, 516.

<sup>5</sup> All acts of government are supposedly performed by the King. If the council meets, he calls a council; its decisions are the King's.

<sup>6</sup> Before, as after the revolt till his 23rd year, he was content to remain in tutelage.

<sup>7</sup> He was placed under her care at his accession in 1377; Stubbs, *Const. Hist.* (4th ed.), II. 462. We know that she was with him during the whole crisis and accompanied him to Mile End.

King's adherents in the city, while another, under William Montacute, Earl of Salisbury, was for conciliation. But we have already seen that the details of Froissart's narrative cannot be safely accepted without confirmation of more reliable sources, and this is not forthcoming.<sup>1</sup>

Coupled with their summons the insurgents now made threats of an ominous nature. According to a reliable authority their message was that if the King did not speedily come into their presence they would immediately destroy the Tower, nor should he escape alive.<sup>2</sup> In the determinative session of the council that followed, the members are represented as having been at a loss what to do—quite naturally so, in deciding the matter of losing their own heads—the young King himself making the decision, which was to grant the demands of the interview; for he cherished the forlorn hope that all the besiegers of the Tower would leave, and give their intended victims a chance to escape.<sup>3</sup> The mayor of London was therefore instructed to have the sheriffs and aldermen proclaim in the wards that all persons between the ages of fifteen and sixty should on the morrow at noon assemble to meet the King at Mile End. This decision was probably reached in the evening of Corpus Christi.<sup>4</sup>

It seems likely that even before this decision<sup>5</sup> an attempt had been made by an interview with the King and by promises from the

<sup>1</sup> Froissart, IX. 401–402. According to John Malverne (pp. 2–3), Sudbury and Hales, not Walworthe, still headed the party that was opposed to conciliation. If Salisbury headed the other party and played such an important part as Froissart here and elsewhere assigns him (IX. 398–399), it is surprising that his name is mentioned only a single time in the detailed accounts of the chroniclers and in the numerous documents on the revolt, *viz.*, in the anonymous French account, where we are told that he was in London on 12th June (*ibid.*, 513); Froissart's knowledge of Walworthe's important part in subduing the rebellion, and of Salisbury's reputation as a soldier in France and as English commissioner for the treaty of Bretigny, may have caused his error.

<sup>2</sup> Mon. Evesham., 27. "Quod sine mora ad eos inermis; quod nisi celeriter adimpleret, turrim ipsam statim diruerent, nec ipse vivus evaderet." This threat is confirmed by Walsingham, *Hist. Angl.*, I. 458; Malverne, 3. Although the monk of Evesham tells us that it was made on the following day from Mile End, he also relates that the interview was conceded in consequence. As we know from other sources that the decision to yield was not reached on the 14th, but on the 13th (*An. Fr. Chr.*, 516; Froissart, IX. 402), it seems likely that he refers to the ultimatum of the rebels on the latter day.

<sup>3</sup> *An. Fr. Chr.*, 516.

<sup>4</sup> Froissart, IX. 401, assumes that it was in the evening. Allowing time for the King's journey to and from Greenwich, the insurgents' march from Blackheath to London, and the preceding negotiations, his assumption seems likely, although we hear from the *An. Fr. Chr.*, 514, that the King had returned to the Tower by 9 a. m.

<sup>5</sup> The *Anonymous Chronicle* records it after the council meeting, but without stating that it followed in point of time. It appears to me a last attempt to conciliate and avoid making a complete surrender.

Tower, to induce the insurgents to disperse. Mounting a turret on the east side, nearest St. Catherine's, where the chief body lay, the young King had exhorted them to retire peacefully to their homes, promising to pardon all their trespasses. The answer came back, amidst great clamor, that they would never leave until they had secured the traitors in the Tower, until he had conceded them freedom from all manner of serfdom and other points which they would demand. Richard made a great show of granting these requests. In their sight he caused a charter to be drawn up and sealed it himself; two knights bore it down to the insurgents, and one of them mounting an old chair, read aloud to the following intent: "The King thanks his good commons for their loyalty, and pardons all their illegal offenses; but he wishes everyone to return home and set down his grievances in writing, and send it to him. By the advice of his lords and council he will then provide such remedy as will be profitable to himself, his commons and the whole realm."<sup>1</sup> But the people shouted that this was nothing but trifles and a mockery. Some even rushed through the streets demanding that every lawyer or person able to make such writs or write letters be beheaded.

The night that followed must have been a terrible one for the inmates of the Tower. They saw the flaming houses of those whom the insurgents hated, their own perhaps among them, in and about the city; their ears were dinned with the clamor of the besiegers, crying as if "tout li diable d'enfer fuissent entre yaulx."<sup>2</sup> Gloomy indeed must have been their forebodings for the morrow.

Mile End, the appointed meeting place of the King with his rebellious subjects, was then a village in the midst of a fine meadow, where the Londoners were wont to recreate on holidays.<sup>3</sup> Because this had been the assembly place of the men of Essex who took part in the revolt, it has been generally assumed that it was chiefly these with whom the King treated on June 14.<sup>4</sup> As a matter of fact it was the entire insurgent army.<sup>5</sup> This was the largest number

<sup>1</sup> The original document of which the above is a condensation, is preserved in the *Anonymous Chronicle*, 516.

<sup>2</sup> Froissart, as above. Cf. the vivid description of *An. Fr. Chr.*, 515-516.

<sup>3</sup> Froissart, IX. 404. His long residence in London lends weight to this statement.

<sup>4</sup> Although Walsingham alone among the sources makes this statement (*Hist. Angl.*, I. 462-463), it is accepted by Stubbs, *Const. Hist.* (4th ed.), II. 400; Green, *Hist. Eng. People*, I. 473; Réville, 30, 41.

<sup>5</sup> The language of the official city record is conclusive on this point: "All the men of Kent and Essex, . . . together with some of the perfidious persons of the city aforesaid," Riley, *Memorials of London*, 449. Such was also the understanding of the *An. Fr. Chr.*, 516-517, and the monk of Evesham, 27-28, who nowhere mention the Essex men in particular, but have the King treat with all the insurgents; of Froissart who refers to a number of counties (IX. 405), and of the revocation of pardons (Rymer, *Fœdera*, IV. 126).

of insurgents at any one time assembled in 1381, and Froissart's estimate of over 60,000 men seems by no means exaggerated.<sup>1</sup> While most of them came from the home counties, especially from Kent and Essex, there were contingents from greater distances, and representatives from as far away as Somerset and Oxford.<sup>2</sup>

In strange confidence the besiegers left only fourscore men to guard the Tower with its strong garrison; but other bands of rebels, which from all sides were hurrying on London, constantly arrived. Royal messengers urged them as they arrived to proceed to Mile End, promising that the King would soon follow.<sup>3</sup> Meanwhile the King was urging the intended victims of the insurgents to steal through the small watergate of the Tower and escape by boat; but none, excepting the Archbishop, had the courage to make the attempt<sup>4</sup>. He was unfortunately recognized by a woman, who sounded the alarm, and the prelate retired in confusion to the Tower.

A considerable retinue accompanied the King to Mile End.<sup>5</sup> Sir Aubrey de Vere, his swordbearer, preceded. Richard was followed by his mother, the Princess of Wales, in her chariot, by the lord constable (Buckingham), the Earls of Kent, Warwick and Oxford, Sir Thomas Percy, Sir Robert Knowles, the mayor of London, besides other knights, esquires and citizens on horseback.<sup>6</sup> According to Froissart three faithful foreign peers, *vis.*, Robert de Namur, the Lords of Vertain (Hainault) and Gommegnies (Flanders), rode forth with the King.<sup>7</sup> A crowd of insurgents followed. Though little more than a mile, the journey was not without peril. On

<sup>1</sup> *Chroniques*, IX. 404. Froissart's military experience and knowledge make his estimates of numbers quite valuable. Other sources are more exaggerated. Thus, *An. Fr. Chr.*—"A tres hideous poure, al nombre de C. M. et plusors." See also Riley, *Memorials*, 449: "Whose numbers were in all past reckoning."

<sup>2</sup> *Rot. Parl.*, III. 106 (for Somerset); *Calendar Patent Rolls*, 1381, p. 16 (for Oxford). Besides the home counties, Froissart (IX. 405) mentions people of Sussex, Bedford, Cambridge, Stafford, and Lynn; but such details of his are usually unreliable.

<sup>3</sup> *An. Fr. Chr.*, 517.

<sup>4</sup> The chronicle just cited attributes their refusal to want of courage; Knighton (II. 133) states this even more strongly. They may, however, have mistrusted the King's plan of escape—an opinion justified by the failure of the Archbishop's attempt, and by the circumstance that of the lords and gentlemen mentioned as prescribed by the rebels (*An. Fr. Chr.*, 513), all except the chancellor and treasurer afterwards escaped.

<sup>5</sup> Riley, *Memorials*, 449. This document, confirmed by the anonymous chronicle, and Froissart, is to be preferred to the monk of Evesham, who describes the King's retinue as small. *Ibid.*, 27.

<sup>6</sup> *An. Fr. Chr.*, 517.

<sup>7</sup> *Chroniques*, IX. 405. On these foreign peers he was likely well informed from his Belgian sources. He adds the Earl of Salisbury to the above list, and relates how the King's two half-brothers, the Earl of Kent and Sir John Holland, stole away from the train on the road to Mile End.

Tower hill an insurgent leader, Thomas Faringdon of London, seized the bridle of the King's horse, demanding justice against the lord treasurer, who, he claimed, had robbed him of tenements in Essex. His sovereign assented to this petition.<sup>1</sup> Other altercations between the King's train and the people took place on the road.<sup>2</sup> At one o'clock in the afternoon,<sup>3</sup> the hour appointed for the meeting, they arrived at Mile End.

Now as to the actual occurrences at Mile End. Our investigations have shown that Froissart's account is unreliable in detail, but that both the monk of Evesham and the anonymous French chronicler are trustworthy. We must therefore prefer the monk's account of Richard's conduct to the traditional ideas derived from Froissart. According to the former he rode timidly to the place of meeting; he is aptly compared to a lamb among wolves, and we are told that he appealed in a supplicating manner to the people standing about.<sup>4</sup> This version of the subject, though perhaps exaggerated by the chronicler, is more like what we would expect of a lad of fifteen years, of the retiring disposition and rather timid character of Richard II.

The details given by the anonymous French chronicler are also

<sup>1</sup> *Coram Rege rolls*, publ. by Réville, 195, 204. Faringdon threatened in case justice was refused him to re-enter and hold his tenements by force.

<sup>2</sup> Thus William Treweman, a London brewer, in like manner accosted Nicholas Brembre, near Aldgate, reproaching him with injuries inflicted when the latter was mayor. *Coram Rege rolls*, Réville, 207.

<sup>3</sup> *An. Fr. Chr.*, 516-517. The "vij del knolle," according to general medieval usages, is the seventh canonical hour, 1 p. m., and not 7 a. m. This interpretation is confirmed by the following circumstances: (1) On the same morning the chief division of the Essex men, under Jack Straw, their captain, had destroyed Highbury, an extensive manor two leagues north of London (Walsingham, *Hist. Angl.*, I. 458). This division was certainly at Mile End (Riley, *Memorials*, 449; Froissart, IX. 405), which under these circumstances they could not have reached by 7 a. m. (2) The insurgents from St. Alban's had on that morning marched to London by the roundabout way of Barnet (about 25 miles), had stopped at Highbury long enough to take the oath of allegiance to the rebellion before Jack Straw, and at London to take counsel in the church of St. Mary of the Bows (*Ibid.*, 454, 467-468); yet they arrived in time for the meeting at Mile End. That they were actually there is indicated by the circumstance that we afterwards find them in possession of one of the royal pennons distributed at Mile End (*Ibid.*, 472); we also hear that their leader obtained from the King in person "*coram turba*" a grant of their demands (*Ibid.*, 468), which probably refers to the multitude at Mile End. Such a feat of marching could not have been performed between matins, directly after which they started from St. Alban's (*Ibid.*, 458), and 7 a. m. (3) The Earl of Warwick, who was hearing mass at Barnet when the insurgents of St. Alban's passed (not before 10 a. m., since Barnet is about 20 miles from St. Alban's by the road) accompanied the King to Mile End (*Ibid.*, 458; *An. Fr. Chr.*, 517). From all these circumstances it is evident that 1 p. m. is the time meant.

<sup>4</sup> Mon. Evesham, 27. "Versus eos valde timidus equitavit . . . Cum dominus rex ad praedictum locum . . . venisset quasi agnus inter lupos apparuit, quippe qui de vita sua plurimum formidabat; populum circumstantem supplicite adoravit."

to be accepted. We hear that when the royal train arrived at Mile End, the commons received the King on bended knees: "Welcome, our Lord King Richard, an it please you; we desire no other King than you."<sup>1</sup> They were drawn up in battle array, with two great standards of St. George, banners and pennants flying before them. Walter Tyler, their spokesman, then addressed the King, insisting on two points: (1) That they might take those who were traitors to the King throughout England and put them to death, and that (2) the King grant the petitions they were about to present him, which, it seems, had been previously drawn up in writing. The King asked what their petitions were, and when Tyler enumerated them, granted every article. He then had the insurgents drawn up in two great ranks and these concessions proclaimed to them.

To these details the monk of Evesham makes further additions. We are told that the people presented their petitions through a delegation selected for this purpose, demanding confirmation by royal letters patent.<sup>2</sup> This statement is not at variance with the account just considered, as Tyler was the spokesman of the delegation. It is probable that in all important actions he had at his side a council of this nature, in which such men as John Ball, Jack Straw and other chief leaders took part. Furthermore, the chief demands of the insurgents were confirmed by just such letters patent.<sup>3</sup> The same chronicler goes on to relate that the populace declared the King should not leave their presence until he had made this confirmation, a point well understood by both King and council.<sup>4</sup> At all events, the required letters patent were solemnly promised in presence of the multitude, and the King, having obtained permission of the insurgents,<sup>5</sup> retired, followed by his train. He proceeded to the Queen's wardrobe in the Tower Royal, after the Tower the strongest fortress in London.<sup>6</sup>

Two of the articles granted the insurgents at Mile End are preserved in the letters patent conceding them to Hertfordshire; these with two more survive in the royal order by which they were afterwards revoked, while four others are preserved by the chroniclers and the city memorial of the insurrection.<sup>7</sup> The four articles pre-

<sup>1</sup> *An. Fr. Chr.*, 517.

<sup>2</sup> Mon. Evesham, 27-28.

<sup>3</sup> It is so stated in the revocation of pardons. Rymer, IV. 126. See also the charter sent to Hertfordshire, Walsingham, *Hist. Angl.*, I. 467; Mon. Evesham, 28.

<sup>4</sup> The King afterwards stated that he was forced to make these concessions; this statement was reiterated by the Parliament of November, 1381. *Rot. Parl.*, II. 99, 100.

<sup>5</sup> Mon. Evesham, 28. "Ab eis licentia petita." Froissart, IX. 406.

<sup>6</sup> Riley, *Memorials*, 450; Froissart, as above.

<sup>7</sup> All these will be cited in course of their enumeration in the narrative.



served by the Revocation are well known, while the others, with a single exception, have heretofore been unnoticed. All of them are important as showing the character of the revolt and the objects which it strove to attain.

The first provision mentioned in the Revocation and in the letter for Hertfordshire abolishes serfdom in England.<sup>1</sup> The King manumits his subjects and frees them from all manner of bondage and servitude. Manumission frees the person of the serf, who is no longer bound to the soil or subject to tallage at his lord's will, but has full legal rights against him. The article goes on to abolish all forms of servile labor,<sup>2</sup> whether it be week work, harvest work or any other, rendered by freeman or by serf. Since the pestilence of 1349 had raised wages and lowered rents, such labor services were felt more keenly than before by the peasants, who on their return home everywhere withdrew them.<sup>3</sup>

In the second article the King pardons all rebellion and other offenses committed by the insurgents, all outlawry they may have incurred and extends his peace to all.<sup>4</sup>

The third article concedes to the manumitted serfs the right to buy and sell free of toll in all cities, boroughs, market-vills and other places.<sup>5</sup> This concession is in reality included in the first article mentioned, since all freemen possessed this right. It is a distinct blow at the manorial system, which prohibited the serf from trading outside of the manor, except by special license of the lord. It is not, however, directed against the tolls and privileges of the cities and towns, since their<sup>6</sup> charters, containing monopolies of trade, having been issued before, would exclude this grant. There is no complaint against the municipal economy of the period, as such, among the rebels of 1381; they had no quarrel with the craft guilds of the cities or the city governments. Indeed, one of the most powerful crafts of London, the fishmongers, and several cities like Canterbury and Bury St. Edmunds were in open alliance with the insurgents.

<sup>1</sup> Rymer, IV. 126. "Quod . . . universos ligeos et subditos nostros, communes et alios, certorum comitatum regni nostri manumisimus, et ipsos et eorum quemlibet ab omni bondage et servitio exuimus et quietos fecimus," cf. Walsingham, *Hist. Angl.*, I. 467 (pardon for Herts); Mon. Evesham., 28. I cite the *Revocation*, which is also preserved by Walsingham (*Hist. Angl.*, II. 20-22), as giving the general form of the articles; the pardon for Herts gives a form adapted to that country. The variations are slight and unimportant.

<sup>2</sup> This interpretation is confirmed by Adam of Usk, a contemporary lawyer; *Chronicon*, 2.

<sup>3</sup> Rymer, IV. 126 (bis.); *Archaeologica Cantiana*, II. 71-72; Mon. Evesham, 32.

<sup>4</sup> Rymer, as above. Cf. *Hist. Angl.*, as above, where the wording is a little different, and the résumé in Mon. Evesham, as above.

<sup>5</sup> Rymer, IV. 126. Cf. Mon. Evesham, as above.

<sup>6</sup> This is the supposition of Petit-Dutaillis. Réville, LXXXVIII.



The fourth article provides for a maximum land rent of four pence the acre from lands thus freed from villenage, but the rent of no land previously held for less shall be raised in consequence of this provision.<sup>1</sup> This is in line with the usual medieval ideas of regulating prices. The peasants might justly reason that if Parliament could lower wages and the craft guilds could raise prices, they might limit rents. As might be expected under the circumstances, they fixed a low maximum. Some land in England rented as high as two shillings the acre, and sixpence was quite a common price.<sup>2</sup>

The four demands just enumerated are the only ones mentioned in the Revocation. All other sources describing the events at Mile End, however, are agreed that further concessions were made. Their omission in the Revocation may be best accounted for by the fact that, as they were of a political nature, they required no formal revocation, a disavowal being sufficient.<sup>3</sup> This is true of all excepting one, the demand for the repeal of the statutes of laborers. In the disturbed state of the country at this time, the council would hardly have attempted to enforce this labor legislation, and any mention of it would have been inopportune. This demand for its repeal was one of whose existence I was convinced before this became evident from a passage in Stowe's invaluable source.<sup>4</sup> Considering the importance of the statutes of laborers in bringing on the revolt, it certainly seemed unlikely that the rebels would have neglected such an opportunity for their annulment.

This is not the place for a detailed discussion of these well known laws; I hope to examine that subject in another paper and show how this legislation brought on the revolt. Suffice it here to say that the statutes were not chiefly aimed, as has been usually supposed, against a separate class of agricultural laborers, but against any person who at any time worked for hire. They therefore affected the lower classes of the kingdom, the lesser craftsmen and journeymen of the towns as well as villains, cotters and copyholders in the country. The insurgents of 1381 attempted to provide a remedy for such compulsory determination of wages by the provision that henceforward no man should serve another but of his own free will and for wages by mutual agreement.<sup>5</sup>

<sup>1</sup> Rymer, as above. Mon. Evesham, as above.

<sup>2</sup> Denton, *England in 15th Century*, 147; Rogers, *Agriculture and Prices*, IV. 126.

<sup>3</sup> The political offenses committed by the insurgents were repeatedly disavowed. Rymer, IV. 125, 126, 127; Réville, 286-287.

<sup>4</sup> This was surmised in 1859 by G. Bergenroth, but without any proof. *Hist. Zeitschrift*, II. 79.

<sup>5</sup> *An. Fr. Chr.*, 517. "Che nul ne deveroit servir ascune home, mes a sa volonte de mesme et par couenance taille."

As might be expected, the political demands of the commons are radical in the extreme. The fruits of the aggressive English policy in France were now being reaped in the shape of military disaster and heavy taxes, a fact brought vividly home to the people by the poll-tax of 1380. While it is probably true that much of this was due to the mismanagement of John of Gaunt and the party in power, it is doubtful if their opponents could have done any better. But in the popular conception of the Middle Ages—and this opinion was shared by the House of Commons—an unsuccessful minister was usually a traitor.

The insurgents had therefore on the previous day demanded the heads of most of the King's chief advisers, including the ministry,—fifteen lords and gentlemen in all. Among these were the chancellor just retired, Sir Robert Hales, the treasurer, Sir John Fordham, clerk of the privy seal, and two chief justices, Sir Robert Belknap, of the common pleas, and Sir Robert Plesynstone, chief baron of the exchequer, to say nothing of John of Gaunt, Bishop Courtenay of London, Sir Ralph Ferrers and others.<sup>1</sup> Stretching the term traitor to all who oppressed them or opposed their revolt, they demanded a far-reaching punishment.

Contemporaries differ as to the terms of the grant. According to the official city record the King conceded the insurgents' demands without qualification: "That they might take those who were traitors against him and slay them, wheresoever they might be found."<sup>2</sup> The anonymous French chronicler, on the other hand, records that his answer was qualified by the condition that the accused be legally convicted of treason.<sup>3</sup> In this instance I prefer to follow the city record, considering the fact that the King was entirely at the mercy of the insurgents, who certainly would not have been satisfied thus to leave the matter to their chief enemies, the lawyers. This was certainly the understanding of the insurgents (who, by virtue of this grant, straightway proceeded to the Tower to kill the chancellor and his companions),<sup>4</sup> as well as of the garrison who admitted them.

As a corollary to the provision for the punishment of a hostile ministry, the King acknowledged the insurgents' claim that he had heretofore been ill led and governed, and promised that henceforth he would be directed by them.<sup>5</sup> In this grant we find the political

<sup>1</sup> *Ibid.*, 513.

<sup>2</sup> Riley, *Memorials*, 449.

<sup>3</sup> *An. Fr. Chr.*, 517.

<sup>4</sup> *Ibid.*, 517. "Par celle grant le dit Wat Tighler et les comons pristeront leur voy a le toure pur prendre l'ercheuesque." Riley, 449.

<sup>5</sup> Mon. Evesham, 28.

ideal of the insurgents,—a popular absolute monarchy, ruled by advice of the common people. Not a word is said about Parliament and its rights, which are ignored in all of the articles. The rights of the landlords of Parliament over their villains is annulled without their consent, their property is confiscated by the radical reduction of rent. Laws which they had enacted are set aside, innocent men are hurried to death without legal trial by their peers. All these were infractions on the fundamental rights of Parliament, to which the common people no longer looked for redress or relief. By its persistence in legislation hostile to the lower classes since the first statute of laborers, in 1349, Parliament had completely estranged them; the King was their only hope.

Adam of Usk, a contemporary lawyer, records another concession at Mile End not noticed elsewhere, *viz.*, the liberation of all prisoners.<sup>1</sup> At this time the prisons were filled with the victims of the statutes of laborers and other repressive legislation since 1349, and it is to this circumstance, rather than to any sympathy with crime on part of the insurgents, that this demand is to be attributed.

Such were the articles granted the insurgents at Mile End. They were of course extorted, and there was no intention on part of the authorities to carry them out; such, indeed, would have been a legal impossibility. For how could the King legally dispose of the rights and property of his people without the consent of Parliament, annul laws which it had formally enacted, or decree the execution of men without legal trial? Of course, the council intended to have him disavow these concessions as soon as safety would allow. For the present they proceeded with great caution. As a pledge of the King's sincerity, royal banners and pennons were distributed among the different rebel bands,<sup>2</sup> and the articles granted were proclaimed in all the shires of England.<sup>3</sup>

It would be fruitless to speculate on the possible results had the economic demands of the peasants been enforced. I am not so sure that the suppression of the revolt, in this regard at least, was for the unquestioned good of the nation.<sup>4</sup> The result of these reforms would have further weakened the landlords and emancipated the peasantry, with the possible result of a landlord system in which peasant proprietorship would have been the prevailing feature,—a

<sup>1</sup> "Rex concessit . . . omnes incarceratos liberari." *Chron. Adae de Usk*, 2.

<sup>2</sup> Rymer, *Foedera*, IV. 126; Froissart, IX. 405.

<sup>3</sup> "Hoc ubique in regni comitatibus publice mandavit et fecit proclamari." *Chron. Adae de Usk*, 2.

<sup>4</sup> Such is the prevailing opinion. Powell, *East Anglia Rising*, 66; Trevelyan, *Age of Wycliffe*, 255.

**state** of affairs which many prominent English politicians and economists since Arthur Young have been trying to bring about.

The demands of the insurgents also afford valuable information on the character and causes of the insurrection. We know from other sources that it was very complex in nature, a union of most of the elements discontented with the social order. The lower classes of the towns, in several cases the town governments, were important factors ; moreover a general uprising against the monasteries took place in connection with the revolt. But from these demands extorted by the insurgents at the zenith of their power it is evident that the most important factor, the backbone of the movement, was an uprising against serfdom and servile labor ; it is the villain who benefits chiefly from the concession at Mile End. True, the free peasant was not forgotten, for he too rendered labor services, sometimes such as were servile by nature, and was oppressed by the statutes of laborers. He felt more keenly than did the villain the political abuses of the day, since he had some share in the government. But except in so far as he might be benefited by the repeal of the statutes of laborers, the townsman receives no consideration in these articles. From this alone, if we had no other evidence, we should know that the political and economic aspirations of the peasantry of England constituted the chief factors of the revolt in 1381.

GEORGE KRIEHN.

## A BRITISH PRIVATEER IN THE AMERICAN REVOLUTION

"I'm informed that you have had such Success with your Privateer that the Men of War are got jealous of her taking too many Prizes and have endeavoured to sink her, c'est bien malhonête!" And so beyond question, thought that honest Scotch merchant and ardent loyalist, John Porteous,<sup>1</sup> of New York, in September, 1779, when he read the Montreal letter, written by his old-time friend, James Sterling, from which the sentence is quoted. Their friendship was of long standing, dating back to the fur-trading days that followed the close of the French War, when they had been partners at Detroit in the Indian trade and in many adventures on those distant trails that brought wealth from the great northern wilderness. Soon after the British army had occupied New York in 1776, John Porteous had followed it thither and had established himself in general merchandizing, occupying the store belonging to Henry Remsen, at No. 513 Hanover Square, "next door to the Admiral's." He enjoyed a good credit with his London connections; his brother, James Porteous, was an Assistant Commissioner General in the British service, and the shrewd and thrifty Scotchman seems to have prospered in his undertakings. He preserved most of his papers with methodical care, and after his death, by some fortunate accident they escaped destruction, until, covered with a century's dust, they were recently brought to light from the old chest where they had so long lain hidden. There are many curious stories which these time-stained records tell, and among

<sup>1</sup> John Porteous came from Perth, Scotland, to America about the year 1761, and was one of the early British traders at Detroit and Michilimacinac. He was a resident of Detroit during its siege by Pontiac and for ten years thereafter. During this time he was engaged in the Indian trade as a partner with James Sterling in the firm of Duncan, Sterling and Porteous, and later formed a partnership with the firm of Phyn and Ellice, of Schenectady, N. Y. Before the opening of the Revolutionary War he went to Montreal, and after the British occupied New York City, he followed them there and carried on a general merchandizing business until the evacuation in 1783, when he returned to Scotland. Soon thereafter he settled in Nova Scotia, but in 1788 or 1789 went to Little Falls, N. Y., where he represented the interests of Alexander Ellice, who had succeeded to the lands covered by the Vaughn patent. He was naturalized in 1790, and lived at Little Falls until his death in March, 1799.

The papers forming the basis of this article were discovered among other business papers of Porteous in Buffalo, New York, and are now in the possession of the writer.

them is the story of the British Privateer "Vengeance," as told by those who shared her varied fortunes.

When Cornwallis entered Philadelphia in September, 1777, the opportunity seemed favorable for the British traders, and shortly thereafter John Porteous sent a stock of goods to that city entrusted to his friend and associate, John Richardson, who took a shop in Market street, where he had important dealings with Sir William Howe and many beside. The firm of John Porteous and Co. apparently owned at this time a snow called the "Elegante," of which Captain George Dean was the master, in which their shipments back and forth were made. Possibly our worthy Scotchman's close proximity to the "Admiral" may have turned his thoughts to other naval ventures than these peaceful sailings of the seas; perhaps he was like Dogberry, "a fellow that hath had losses," for once again from London, James Sterling wrote: "Pray how do you succeed in Privateering? I hope you've caught some of the Myneers<sup>1</sup> who will help to reimburse your former Losses." Perhaps privateering may have seemed as profitable at that time as it was popular, for in the year 1778 it was evidently determined to convert the peaceful "Elegante" into a more war-like craft, rechristened the "Vengeance," which, on the 17th of November, for a consideration of £37 6s. 8d. was duly commissioned as a privateer under the seal of the court of vice-admiralty for the province of New York, "to attack, Surprize, Seize and take all Ships and Vessels, Goods, Wares and Merchandizes, Chattels and Effects whatsoever belonging to the Inhabitants of the American Colonies in Rebellion."

A "snow" was a three masted vessel, having abaft the main mast, a third mast which carried a trysail. The "Vengeance" was a vessel of this class and was no beauty despite her original name; for one witness said she looked "like a Hog Trough," and another is equally disrespectful concerning her appearance, but, as the record shows, her good qualities far out-balanced this lack of grace. She was well armed, carrying six six-pound guns and eight four-pounders, with an abundance of small arms and ammunition, and, as appears from the details of her equipment, was amply supplied with provisions and with rum. The surgeon's instruments cost £18 16s. and her stock of medicines £76 4s. 6d. There had been added by purchase a new long boat which had cost £37 6s. 8d.; a pinnace costing £25, and at the hour of sailing, a very fine small boat which Captain Dean said he "could not possibly do without" for which John Porteous paid a round twenty guineas. Altogether, the vessel

<sup>1</sup>[Mynheers, evidently referring to Dutch merchantmen. The letter is dated 1781. ED.]

and her outfit when ready for sea represented an outlay to her owners of £485 1 10s. 8d., York currency, equivalent at the time to about £3300 sterling. Of officers and crew there were sixty-nine on board when she sailed, with George Dean, Captain; George Knowles, 1st Lieut.; Charles Knowles, 2nd Lieut.; Thomas Middleton, master; John Fitzgerald, surgeon; John Fraser, gunner; and Patrick Henvey, boatswain, and including also John Richardson, who, like Captain Dean, was a shareholder and who went ostensibly to guard the owners' interests, but evidently moved by a fine spirit of adventure and bearing rank as captain of marines. To his facile pen and to that of the pugnacious captain, we are indebted for the most graphic account that has been preserved of the experiences of a British privateer during the war of the American Revolution.

By the 9th of January, 1779, all was ready, so that the "Vengeance" dropped down the bay and at three o'clock in the afternoon of the following day John Richardson found an opportunity of sending a farewell message from Sandy Hook.—"Yesterday afternoon it blowing fresh and the wind contrary we came to an Anchor off the Watering Place at Staten Island; and about 12 O'Clock today got under weigh;—we shall be abreast of the Man of War very soon and Capt: Dean is determined to proceed immediately to Sea on passing inspection." He concludes by "ardently hoping for a successful Cruize," and is not again heard from until the 15th of February when the "Vengeance" is in the latitude of Port Royal. At least one letter had been dispatched in the interim by the first prize captured, but as there is no trace of its receipt, and as the "Little Ben" never found a place on the credit side of the "Vengeance's" account, it is probable that the prize was re-captured before reaching New York. Captain Dean now writes:

VENGEANCE Lat: 32°.15' N. 15<sup>th</sup> Feb<sup>r</sup> 1779

*Dear Sir*

My last was dated the 5<sup>th</sup> Current p<sup>r</sup> the Prize Schooner *Little Ben* from Cape Fear bound to Boston John Anderson Prize Master, who I hope before this reaches you will have arrived safe. She was loaded with Tar Turpentine and Rice, is quite full and about 80 Tons burthen. On the 14<sup>th</sup> January 3 Sail of Vessels were Captured by the Privateers Experiment, Cap<sup>t</sup>. McPherson, and Gen<sup>l</sup>. Mathew, Cap<sup>t</sup>. Forsyth, in sight of us and within hearing of the Guns; which you'll please lay in a claim for a Proportion of according to Men and Guns. One was a dismasted Ship from Cape François bound to Charlestown, loaded with Rum etc., another a Brig, and the third a Schooner which we chased in to them. All were taken off the Capes of Virginia, and it was my intention to put

some People on board them which being signified to Capt: Forsyth he even assented to coming too or laying by till morning when we would see each other again, but it growing hazy in the night, they gave us the Slip, next day we saw them again and fired several shot at the Sloop Gen<sup>l</sup>. Mathew to bring her too, but without effect, however I am in hopes this ungenerous method of procedure will avail them little. On the 8<sup>th</sup> Cur<sup>l</sup>. Captured the Ship Geo: Washington mounting 10 double fortified 4 pounders from Boston in Balast bound to Charlestown which I have ordered for Savannah in Georgia (it being in our possession) consigned to M<sup>r</sup>. John Tunno, who is connected with M<sup>r</sup>. Penman at S<sup>t</sup>. Augustine, as Agent; She is 440 Tons burthen Frigate built and a beautiful Vessel. I remain with respect

Your sincere friend and hble Serv<sup>t</sup>.

GEORGE DEAN

Accompanying this was a letter from John Richardson.

VENGEANCE Lat: 32° 15' N. 15<sup>th</sup> Feb<sup>r</sup>. 1779.

*Dear Sir*

I wrote you the 5<sup>th</sup> Current a few Lines. This will be delivered you by a M<sup>r</sup>. J. [I?] Mitchell of Boston, who was a Passenger on board the *Geo: Washington*; is a Portrait Painter and was intending by some means or other to get to England. Being a facetious young Fellow, and in all appearance a friend to Gov<sup>t</sup>. Cap<sup>t</sup>. Dean and all the officers on board the Vengeance have shown him every indulgence and civility, and make no doubt you will do the like. We at first took the Washington for a 40 Gun Ship she loomed so large, but upon getting a little nearer, saw she was a large Merchantman, which we were in hopes was French. She showed 14 Guns, besides 2 on her Quarter Deck. We were determin<sup>d</sup> to have a look at her, and accordingly stood tow<sup>d</sup> her under French Colours; she at same time bearing down on us under Rebel Colours; She by Accident made part of our Signal, which inducing us to believe she was the Union of Liverpool, we hoisted English; this caused her immediately to haul her Wind from us; and convinced us she was an enemy; it falling calm, we happily thought of trying what effect our Boats Oars would have in rowing the Snow. Our people being in high spirits pulled like heroes; We gained on her considerably, and she kept pelting us with Stern Chacer which happily did little damage altho' almost every shot took place in our Sails. We fired only three Shot at her, and rowed up under her stern, fired our Stink Pot and prepared for boarding; but before we came within hail she struck. Upon get<sup>t</sup> nearer hailed her, and finding her from Boston gave three Cheers, which to our no small surprize was returned by a number on board the Ship. We found she was manned mostly with Scotchmen, whom the Captain had got out of Prison Ships. They rejoiced in their releasement; and with some others to the Number of 21 entered with us. On the afternoon of the 9<sup>th</sup> Cur<sup>l</sup> saw 2 Sail which gave chase to. Soon perc<sup>d</sup> one to be a



large Ship stand<sup>e</sup> for us. Apprehending her to be the Deane Frigate who came out of Boston with our Prize, kept close by the wind ; but about 7 in the evening it being then dark found she was close under our Lee crossing us with her Larboard Tacks on board—we having our Starboard. She gave us a Gun : We returned her a 6 pounder shotted, yet I believe hit her—which was no sooner done than she gave us, and our Prize who was close under our Stern a Broadside and a Volley from her Tops and Quarter Deck, Luckily they did very little damage except to our Sails ; but find<sup>e</sup> them 9 pounders, were now convinced she was the Rebel frigate mentioned above ; so Cap<sup>t</sup> Dean and Officers, judged it most prudent to stand on. She immediately Tacked in our wake and stood after us. About 10 at night it falling light winds perceived she gained upon us ; so finding it in vain to get clear, hauled up our Courses and prepared for Action along with our Prize ; who was at this time commanded by Geo: Knowles, who I forgot to mention returned the Frigates broadside. She came up within Hail with all Sails standing, when we found it was his Majesty's Ship Unicorn, who behaved in a very civil manner. We were then off Cape Roman. Mess<sup>r</sup>. Knowles join in best respects to you and Brother and I remain with unfeigned regard

Your sincere friend and humble Servant

JOHN RICHARDSON

P. S. We spoke Cap<sup>t</sup> M<sup>t</sup>Alpin in a Schooner from New York who informed us you was well M<sup>r</sup>. Andrews is gone Prize Master of the Ship who sails almost as well as we. Convoyed her almost to Georgia.

By an endorsement in his autograph, it appears that these letters were opened at New York by Commodore (afterward Admiral) Sir Hyde Parker, before being delivered to John Porteous to whom they were addressed. In December, 1778, Hyde Parker had commanded the small squadron which conveyed the British troops under Lt. Col. Archibald Campbell to the capture of Savannah, a service for which Parker was knighted in 1779. This important southern port now being in possession of the British, and the province declared to be "in the King's peace," Captain Dean thought it best to touch at Savannah for supplies and to see what had become of his fine prize ship, so about the 5th of March the "Vengeance" dropped anchor in the Savannah river and ten days later letters to New York told of the condition of her affairs which were not wholly to the Captain's liking.

SAVANNAH RIVER IN GEORGIA } 15<sup>th</sup> March 1779.  
ON BOARD THE VENGEANCE }

*Dear Sir*

Finding our Stock of Wood and Water to be getting rather short I determined to put into this place to get a recruit of these articles : It

was likewise some inducement to me to learn the fate of the Ship *Geo: Washington* (which we took on the 8<sup>th</sup> Feb<sup>r</sup> bound from Boston to Charlestown in Balast) who by a Vessel we spoke with at Sea we were informed that she was claimed as British Property. M<sup>r</sup> Tunno who I appointed Agent, and I dare say you remember to have seen at New York, as he lodged at M<sup>r</sup>. Stoughton's dispatched her Papers to S<sup>t</sup>. Augustine without delay, no Court of Admiralty being established here till within these few days: No answer is yet arrived but I am in hopes the claim will not be sustained, as the Claimant is a man of no character, and I have reason to believe was in a great measure induced to it by the Prize Master, *Charles Andrews*, who has proved a most cunning artful villain, and has done I find everything in his power to stir up sedition among the Ships Company—who were however proof against it and are a set of as fine peaceable fellows as ever manned a Ship. If I can find any Point Blank proof against him of making away with anything out of the Ship I will trounce him soundly for it—at any rate he and I shall never float at sea again in the same bottom. I shall order M<sup>r</sup>. Tunno to remit you whatever may be the Nett Proceeds of the Ship, after deducting disbursements here, without delay, when she is sold. I had once determined on going as far as £3000 Sterling for her on our own account, as she sails very fast and would carry 24 Guns, six pounders with ease, but upon more mature deliberation have given up thoughts of that as the Expence of sending her round, and fitting would be so immense, that I am determined to stick by the *Old Vengeance*, who without jesting I would not exchange, for our business, with any Privateer belonging to New York: I find her to be possessed of every qualification necessary for a Privateer—Sails fast, carries her Guns well, makes no more water in a Gale of Wind than in a Calm; and in appearance at best but a Bundle of Boards. I am anxious to hear of the arrival at your Place of the Schooner *Little Ben* from Cape Fear bound to Boston, which we took on the 4<sup>th</sup> February, and of the *Snow Invermay* from Cape François, bound to Charlestown, Captured the 19<sup>th</sup> d<sup>e</sup>; the first loaded with Tar, Turpentine and Rice, the latter with Rum, Sugar, Coffee and Dry Goods. There were a few trifling articles taken out of the *Snow* besides what I mentioned, which in the hurry we were in I forgot, viz the Jesuits' Bark—pieces, Linen, I made a present of to the Master. No bread being to be had here, I have purchased as a substitute 15 Tierces Rice at 7/6 Stg. pr. C, and some sweet Potatoes. I shall buy only about 10 Barrels Salt Provision, which can be had for about 6 Guineas pr Bbl; but as it is far cheaper and better for the people as many Hogs (which can be got about 3<sup>d</sup> stg. pr lb.) as I can conveniently carry on Deck out of the way of the Guns. I am afraid I shall be obliged to get a puncheon of Rum altho' dear; there is no doing without it in our way. We were once entirely out for eight days, but to do our People justice I never heard the least murmur on that account as they knew it could not be had.

One circumstance happened to us in the Beginning of the Cruize, which I cannot omit mentioning every opportunity altho' I can hardly do it with patience. If ever any one serves me such a Trick again, I will forgive him and never mention a word about it. On the 14<sup>th</sup> January a dismasted Ship from Cape Francois, bound to Charlestown, loaded with Taffia, etc, a Brig with her Main Topmast gone, and a Schooner, were captured off the Capes of Virginia by the Experiment Cap'. M'Pherson and Gen'. Mathew, Cap'. Forsyth, both of New York, in sight of us and within hearing of their Guns. I spoke them and intended putting Prize Masters on board in the morning, which I even signified to Capt. Forsyth who appeared to have no objection, and agreed to lay by till morning—however it getting hazy in the night they gave us the Slip. Next day I saw them again and fired several shot to bring them to; upon which they put away before the wind. I hauled our wind for the Prizes, and put about when I thought we had got so far as to be able to fetch them on the other Tack, however we saw nothing more of them. I am hopeful some of my Letters may have reached you to enable you to lay in a claim for a share of said Prizes according to Men and Guns. I have cut out 2 more Ports, and got two four Pounders out of the Ship, and we now mount 6 six pounders and 10 four pounders. When we go out we shall have 70 Men, all fine fellows; almost 50 of whom are Seamen, and we shall not carry a man out here but what belonged to us when we came in; so that you see we have been very lucky in the Vessels we have taken to get so many seamen. I remain with great regard

Dear John

Yours sincerely

GEORGE DEAN

There were uncertainties even in British privateering. The "Vengeance" might capture cargoes of rum and peaceful tar-laden merchantmen, but there were many things to be reckoned with before they could be taken into port, condemned and sold and their proceeds comfortably divided. There were well-armed Yankee ships with names fully as fierce as her own, whose captains would have delighted in a brush with the "Vengeance" herself, and who, failing this, found a peculiar pleasure in recapturing her prizes, which doubtless furnishes the providential reason why the "Invermay" as well as the "Little Ben" never figured further in the privateer's accounts. Then too there were such rascally schemes as that of the "George Washington's" prize master which stirred up Captain Dean's righteous indignation, as well it might, for although full details of procedures are not found, all that was ever credited to the account of the "Vengeance" in realization of her hopes from her splendid 440 ton prize for which Captain Dean would have paid £3000 sterling, was a beggarly item of "£374

10s. 6d." "for share of the George Washington salvage." However, all were now greatly elated with their early successes and **their** first lieutenant, George Knowles, who had been a merchant **captain**, wrote to John Porteous in exuberant phonetics.

"You will No Doubt hear mor larg from Cap<sup>t</sup>. Dean of our Sucess and the Plisur the Snow gives ous in hir saling and Every thing that wie cann **wish** wie have goot a Complet Sette of gunes as aney Ship out of New York sixtin sixes and four Pounders and I hoap for to have thre or four **prises** in to you in the Spece of thre or four weakes after our puting from **thence**. Wie have a Compleat Shipes Company as Ever I sailed with 70 in number."

At the same time John Richardson also wrote to Mr. Porteous.

SAVANNAH RIVER IN GEORGIA }  
ON BOARD THE VENGEANCE } 15<sup>th</sup> March 1779

*Dear Sir*

We have been here now about 10 days, getting a fresh supply of **Wood** and Water, and some provisions, which are tolerably reasonable. **I am** hopeful the next prize we send you may be a good S<sup>t</sup>. Domingo **Man**: Let us only see a Vessel and we are not afraid but we will soon **come** up with her, provided night does not prevent us. We sail **exceedingly** fast (having beat everything we have yet seen but the Unicorn) **and** are the greatest deception imaginable, looking at a distance like a **Hog** Trough; this no doubt will be a great advantage to us. The Master of the Snow we took told us, that even after he was in the Boat coming on board us, he secretly repented not having run longer; as he could hardly satisfy himself that we could sail *tolerably*, notwithstanding we **had** come up with him so fast that he did not know how to behave. M. Watson from New York informed us that it was currently reported there, our being cast away. I feel exceedingly for the distress and anxiety of mind you must have laboured under till the doubts respecting our safety **were** removed. There were people in New York, viz M<sup>c</sup>Pherson and Forsyth, who could have satisfied you on this head, but knowing themselves guilty of wronging us in a very ungenerous manner, I suppose they determined to keep their own counsel, for fear enquirys might be made, that would put it out of their power to conceal any longer, our being in company, when the prizes were taken; and of consequence fully entitled to a share. I have sent you all the news Papers since the arrival of our Troops here, so that it is unnecessary to mention any news. The Phoenix Man of Warsailed for England the 12<sup>th</sup> Cur<sup>t</sup>. Col: Campbell **went** Passenger in her, and I suppose there never was a Commander **whose** departure was more regretted, he being universally beloved by all orders of People. Cap<sup>t</sup>. Dean and I being in Town when the Molly Cap<sup>t</sup>. Thompson sailed for New York prevented our writing by her, as **likewise** to London by the Phoenix, not expect<sup>t</sup> they would sail so soon.

This is the best Bar Harbour in America, having over it at Low Water

at least 3 fathoms. The Bar lies near 3 miles without the Light House or rather Beacon, which is built of Brick and Whitewashed ; It consists of seven Stories, and stands upon the North Eastermost Point of Tybee, a low swampy Island, uninhabited, and abound<sup>d</sup> with fine Pine and Live Oak Trees ; Here we get whatever Spars we want (upon asking liberty) for the trouble of cutting them. About 3 miles up from the Light House is Cockspur Island which divides the River into 2 channels, the northermost of which is the Ship Channel but between the Southside of the Island and Tybee is the best Anchorage. From Cockspur to within 5 miles of Savannah Town runs a range of swampy desert Islands, dividing the Channels as I ment<sup>d</sup> before. The Banks of the River on both sides untill you come near to the Town (which is about 20 miles from Tybee Beacon) is a swamp. Here you can see multitudes of alligators lying in the mud like old Logs, and the Rivers in general here so abound with these destructive animals that it is very dangerous to go in to the Water. The Town stands upon a steep sandy Bank, which will put a man out of breath before he can reach the Top of it. It consists of about 300 houses, built for the most part of Wood. It is very regularly laid out, the Streets crossing each other at right angles, but like most other Towns in this Country very straggling built. The Streets are not paved ; the Sand in them is near a foot deep, and in the summer, what between Sand Flies (of which even now there are Legions) Musquettoes etc *must certainly be a most agreeable place* to reside in. When it blows, a man runs no small risk of being chocked by the clouds of sand and dust. I am told that about 50 miles back, the Country exhibits a very different appearance, being very fruitful in Indigo, Rice, Indian Corn etc., and abounds with stock of all kinds ; The sallow complexion of the Natives here, to me sufficiently proves the unhealthiness of the Climate. M<sup>r</sup>. Michie desires his Compliments to you, he is in company with M<sup>r</sup>. Brown, and they seem to have a great run. There is a pretty good demand for Goods here. M<sup>r</sup>. McCulloch is appointed Collector of the Customs. Col: Innes is gone home. M<sup>r</sup>. Penman<sup>1</sup> from S<sup>t</sup>. Augustine is here. Of Privateers there are at present here, the Mars Cap<sup>t</sup>. Cunningham, Union Capt Sibrell, and Surprize Cap<sup>t</sup>. Watson, all of New York. Cap<sup>t</sup>. Henry of the Fowey is now Commodore. I beg to be remembered to your Brother, M<sup>r</sup>. Cruden ; M<sup>r</sup>. and M<sup>rs</sup>. Groome. I remain with the greatest regard

D<sup>r</sup>. Sir

Yours very sincerely

JOHN RICHARDSON

During the month that followed these despatches, the "Vengeance" found business very dull. The rich St. Domingo mer-

<sup>1</sup> James Penman, a British loyalist, who was engaged in business at St. Augustine, Fla., until the capture of Savannah, Ga., in 1779, where he accompanied the British General, Augustine Prevost from Florida. After the capture of Savannah in 1779 and in the effort to re-establish the royal government there he was appointed a member of the council and a commissioner of claims under the Crown.

chantman wisely kept out of her way ; she caught a glimpse of the Jamaica fleet sailing down the Georgia coast and somewhere thereabouts captured a "light brig," only to lose it again. Letters were sent by a St. Augustine sloop, but it would seem that they never reached New York and the next despatches received by the owners were written May 7th, somewhere off Albemarle Sound.

*D<sup>r</sup> Sir*

ON BOARD THE VENGEANCE Lat 36° North

On the 2<sup>d</sup> Cur<sup>t</sup> we in Company with the Privateer Sloop Who would have thought it, Cap<sup>t</sup>. Lancefield belonging to M<sup>r</sup>. Courtney, took the Schooner Fannie, John Sawyer Master from S<sup>t</sup>. Croiz bound to Edenton, mounting 4 Carriage Guns and 3 Swivels, loaded with 78 Puncheons Rum and 1 Hhd. Sugar. There is likewise on board some small Casks Rum and Pieces of Dry Goods as annexed. I intended keeping her with me for some Days to Cruize as she would have answered every purpose of a Tender and for that Purpose put 6 of our best people on Board including the 1<sup>st</sup> Lieut. and the Sloop put the same number of his : but not obeying my signal for Tacking the ensuing night (whether from intention or neglect I know not) we lost Company of her, and heard nothing of her since. This has distressed me exceedingly to loose so many good men in so small a vessel and as I was in Chase all the afternoon had not time to make out M<sup>r</sup>. Knowles's Orders, or send a Copy of our Commission, but Verbally desired him to keep by us. However I am hopeful she may arrive safe at New York as I have no doubt they will push directly for thence. On the 4<sup>th</sup> Cur<sup>t</sup> I sent about 30 Volunteers on board the said Sloop and in our Pinnace, who went into Ocracock Harbour, boarded and took the French Polacco Ship Le Hardy Claude Berard M<sup>r</sup> of 12 Carriage Guns, 4 Swivels and 26 Men, after a very obstinate resistance. We did not loose a Man, having only one a good deal Burnt by a Powder Flask, and the Sloop one of her people badly wounded in the head. The French Capt<sup>n</sup> and 3 of his People are dangerously wounded. She has on board 250 Hhds of Tobacco which I am hopeful will sell well being of the first Quality. The Ship is excellently found and sails very fast. There is a fine parcel of Bread aboard which should be glad you would purchase for our next Cruize. We shall come in for a great part of both Vessels as we had 63 Men on Board and 17 Carriage Guns, and the Sloop 6 Guns and about 26 men Had the Schooner remained with me I should have been able to have cut out likewise a large Lumber loaded Ship which lay about 3 miles further up, who got under Sail and went still farther as soon as they saw our Intention against the Polacco. Our Water and Provisions begin to grow low, so that I shall not be able to cruize much longer. I am sorry to hear the light Brig we took and sent for Georgia, was retaken by the Brig Notre Dame of 16 Guns belonging to Charlestown, off Savannah Bar. I was so sure of her arriving safe that I would have insured her for sixpence. Should I catch any more of the Boston Victuallers (as we call them) I shall not hesitate

about burning them, as I cannot find they ever carry anything but a few notions. There is nothing I regret so much as not leaving orders with you to Commission for a good night Glass; it would have been of infinite service to me, however it may not yet be too late, therefore beg you will do it. Should the Schooner arrive, I request you will defer selling her till we arrive as I have a great opinion of her, and if the cruize can afford it, would like to purchase her for a Tender, finding that a small one would be of vast service. I am with respect, D<sup>r</sup>. Sir

Your very humble Servant

GEORGE DEAN.

Mr. John Porteous.

P. S. Mr. Middleton the Master is sent as Prize Master of the Polacco who was altered from a Snow into a Ship lately at Edenton.

In the cabin of the Schooner

2 P<sup>r</sup> Coating

2 P<sup>r</sup> Broad Cloth with Shalloon and other Trimmings

In the hold about 400<sup>th</sup> Coffee

ON BOARD THE VENGEANCE Lat 36° N

7<sup>th</sup> May 1779

D<sup>r</sup>. Sir

I wrote you the 22<sup>d</sup> ultimo pr the Hunter Sloop Cap<sup>t</sup>. Browne from S<sup>t</sup>. Augustine and mentioned having seen the Jamaica fleet on the 16<sup>th</sup> April in and about Lat: 31-30 and Lon: 70° West. On the 26<sup>th</sup> April in the morning off Cape Look Out we gave Chace to a Sail which we soon discovered to be a brig standing towards us, but before we could see her hull she Tacked and stood from us with all Sail; we continued the Chace and falling almost calm we got out our Sweeps, and about 1 P M our Pinnace armed and manned as usual was dispatched after her; We came up very fast, but most unluckily about 2 a very heavy squall with Rain from the N W came on, in which the Snow loosing sight both of us and the Brig was obliged to heave too for fear of loosing us. We returned to the Snow, and the Boat was immediately hoisted in. About 5 in the evening We again discovered the Brig who had wore (when out of our sight) towards the Shore, and went close under the Shoals, by which means she had got about 2 Leagues to Windward. We continued the Pursuit and about night it falling calm; our Pinnace was hoisted out again and sent after her; We rowed directly towards her for 2½ hours when seeing no appearance of a sail, M<sup>r</sup>. Knowles and I judged it prudent to return. Got on board the Vessel about 1 next morning; it still continuing almost calm set out again and at Sun Rise discovered her at an Anchor under the Fort at Cape Lookout we returned the third time when a light breese springing up the Snow wrought in Shore towards an Inlet (about 12 miles from the Cape) where we saw a number of Vessels laying. We hoisted French colours and made a signal for a Pilot. A Boat came out and reconnoitred us but no scheme could bring her along side. Captain Dean now was determined to have a Dust with the Brig, which



we saw was a Rebel Priv<sup>t</sup> from 12 to 16 Guns, and accordingly stood within Gun Shot of the Fort who fired a Shot at us, which we returned, but most unluckily the Wind shifting to the Southward ; we were obliged to turn out being in such a Bight, that we could not weather the Land on one Hand nor the Shoals on another. Although blowing fresh in the night ; by next morning got so far to Windward as to be out of danger. We then fell in with our present consort ; and determined on attempting to have the Brig at all events as she had cost us so much trouble But on the 29<sup>th</sup> a heavy Gale driving us into the Gulf Stream, we never could fetch to Windward of the Shoals again ; therefore Cap<sup>t</sup>. Dean bent his Attention towards Ocracock—where on the 4<sup>th</sup> Cur<sup>t</sup>. we cut out the Polacco Ship *Le Hardy* : M<sup>r</sup>. Middleton the Master, and I with 16 hands went Volunteers in the Sloop : and Chas. Knowles, Gunner, and Boatswain with 9 more of our People in the Boat. The Ship having a suspicion of us had got chace Ports cut out the night before and every preparation made. We went up under her stern when he began a heavy fire on us with his Stern Chacer ; and by backing his Mizen Topsail endeavoured to bring his broadside to bear on us, but being unable to effect this he renewed the fire with his chacer ; Havg. by this time got pretty near, we soon drove them from those Guns by our Musketry and a 3 Pd<sup>t</sup> which raked him. Passing under his Starboard Quarter we laid him aboard directly and the Boat on the other ; at which instant he discharged his Broadside a volley of small arms and some Powder Flasks at the Sloop. Most miraculously and providentially they did us no damage to speak of and before they could load again so many from both Sloop and Boat got on board, that little opposition was then made but by the French Cap<sup>t</sup>., who behaved in a most resolute manner. Notwithstanding the extreme difficulty of the Bar (being only about 13 feet Water on it) we got her safe out about dark. The Channel lies so close to the Beach that the Pilots lying behind the Sand Banks peppered away at us with small arms, but did no hurt. You must look upon it as very unaccountable and indeed what I could hardly have believed had I not been an eye Witness that only one Man should be wounded and another a good deal burnt with a Powder Flask on our side. The French Cap<sup>t</sup>. and 3 of his People are badly wounded, and several more slightly. If our Prize Schooner had been with us, to have gone in with the Sloop we should have effected something more capital. We cannot cruize above a fortnight longer as our Prov<sup>t</sup> and Water get low, and our Bottom is remarkably foul. Present my Copt<sup>t</sup> to your Brother—as likewise Don<sup>d</sup> M<sup>r</sup>Lean, A. Stephen—and acquaintances at your Mess Expecting to enjoy the pleasure of seeing you soon, I am

D<sup>r</sup> Sir

Yours very sincerely

JOHN RICHARDSON

Enclosed with these letters is a list of the French prisoners captured, and also lists of the officers and men belonging to the



"Vengeance" that were on board the pinnace and the sloop during the action.

This was a fine stroke of luck for the British privateer, inasmuch as both the polacca "Le Hardy" and the schooner "Fannie" escaped re-capture, and, having been condemned and sold at New York, the "Vengeance" was credited with £4,603 3s. 10d. as her share of the proceeds. But, alas for the mutability of fortune! Just as this audacious rover of the seas was turning homeward for renewed supplies and a fresh start in further buccaneering, she encountered disaster as unexpected and startling as lightning would have been coming from a clear sky. She was on the lookout for her enemies, and with a fighting captain and willing crew, or with swift heels, as circumstances might require, felt reasonably secure; but if her captain prayed at all, he might well change his supplications now and pray to be delivered from his friends, for it was into their hands that the "Vengeance" fell, with results undreamed of from the worst of her foes. The story is told by the original draft from the hand of John Richardson, which was evidently copied and signed by officers and crew in the vain hope of possible redress at the hands of His Britannic Majesty's government:

On Friday 21<sup>st</sup> May 1779 Between 6 and 7 P M saw Two Sail Bearing about E. standing towards us, which we conjectured to be some of the Rebel Cruizers, but being so near dark could not determine their Size. The Tryon Brig Cap<sup>t</sup> Sibbles and we kept close together and Hauled our Wind for them, which the Brig Diana (from Surinam for New York whom we had spoke in the forenoon,) observing, bore down towards us for protection. About 9 P M we observed them close to us on our Starboard Bow, and the Leewardmost who appeared the largest seemed to be running athwart us—upon which we kept away a little and fired a Gun across his Forefoot to bring him too to speak with him. Having soon after shot up abreast of him, he Hauled his Wind on the same Tack as we (viz the Wind at Starboard) and appeared to be a very large Ship. We hailed him when he answered the Harcourt, Store Ship from London, and Cap<sup>t</sup> Dean then repeatedly and distinctly replied the Vengeance a Privateer belonging to New York George Dean Commander. He ordered us to "Hoist out our Boat or he would fire a Broadside into us": Cap<sup>t</sup>. Dean answered: If you will take in your Top Gallant Sails and shorten sail I will do it immediately: Then says he "lower down your Topsails," which was done and afterwards without any other warning he poured into us a whole Broadside of Round and Grape, and Vollies of small Arms and Swivels from her three Tops and Poop. We now saw her to be a two Decker and by the light could plainly perceive the English Colours: Cap<sup>t</sup>. Dean during this repeatedly hailed and told him we were a friend to the British Flag which had been displayed before coming near him, but he paid not the smallest attention to it—some of the

people say they Heard repeated orders given on Board the Ship to "fire alow and aloft, and be sure to Hull her." Our People seeing themselves doomed to destruction without mercy, said they might at least have the satisfaction of returning the fire, therefore notwithstanding Cap<sup>t</sup>. Dean's repeated orders to the contrary fired the greatest part of our Broadside, and it was with the utmost difficulty they were stopt as they saw no hopes of Quarters. Not satisfied with one Broadside he continued in the same manner near half an hour untill he discharged at least five into us. The Tryon being a little way astern began to fire after the Ship's second Broadside, but stopt on being hailed by Cap<sup>t</sup>. Dean and told that it was a British Man of War. All these things he well paid no attention to altho' he must have heard us not being half the distance we were from the Brig, and notwithstanding it was repeatedly told him who we were, and that we were sinking. At last he stopt and we finding several Shot between Wind and Water, the Carpenters reported their apprehensions of being unable to keep the Vessel up: upon which Cap<sup>t</sup>. Dean again hailed them, and they answering he begged them to send their Boats as we were Sinking to save the People, but not the smallest notice was taken of it. Being apprehensive of his going to begin his horrid work again our Boat was hoisted out as soon as the shattered situation of the Vessel would allow and the 2<sup>d</sup>. Lieu<sup>t</sup>. and Copies of our Commission sent on Board: Instead of expressing the least contrition for his Conduct, his Language only seemed to indicate his being sorry that he had not sunk us all. They asked how many we had killed or wounded, however our officer going away on such a hurry could not give particular information on that head, but said he wished to get back as soon as possible, as he was afraid before that time we had gone down; In answer to this he was informed he must first go on board the Frigate and the Ship instead of bearing down to us to afford the assistance which humanity even to Rebels would have dictated, kept his Wind and went from us with the other Vessels. The officers in the Frigate behaved with great complaisance to our officer showed great compassion for us and offered to send their Surgeons in case we had none. During the absence of our Boat we happily found on more particular examination that our Hull was not so much damaged as we imagined, and got the Holes plugged up. All the Comfort our Boat brought us was that it was His Majesty's Ship Renown of 50 Guns Cap<sup>t</sup>. Dawson with orders to keep *by him* all night (which was a thing not in our power, our Vessel having almost everything shot to pieces and entirely out of command) as there were several Rebel Frigates cruising there, and pretended that he understood we hailed from Boston, and took us for them, altho' we were within Pistol Shot all the time.

Honour forbid asking Protection from such a Man; the Enemy we were not afraid of, as for upwards of 8 days we had been cruising along that Coast for the purpose of falling with some of their Privateers to have revenge for the loss of 3 of our Prises amissing and imagined to be retaken by them and at any rate it was impossible they could use us worse:

The Relation is tiresome, and for the sake of Human Nature it were to be wished that such Conduct was buried in perpetual oblivion; but Justice forbids it and the Honour of Britain requires that such wanton and unprovoked cruelty, unworthy of a Briton, and for the Mischief produced by which Barbarity itself would even drop a Tear: should be held up to Mankind in its true and genuine light. Capt. Dean received a contusion in his left hand. One fine young lad wounded by a Musket Ball which penetrated his left Arm near the Shoulder, and breaking the Collar Bone, lodged in the right side of his Neck: the Ball was happily cut out, but it is much to be feared it will prove mortal: Another had his left Arm from the Shoulder Blade to the Elbow, shattered all to pieces by a Cannon Ball in a most shocking manner: his Wound is likewise mortal: and a third had his left shoulder Blade grazed by a Grape Shot or Ball which took off the Flesh from the outer and part of the Bone, and in all appearance his Fate will be the same as the others. We were killed in nine places: our Main Mast almost entirely shot away about 9 feet from the Deck by a 24 pounder: our Foremast wounded very much about the middle, our Main Cap gone, several of our Yards hurt: and our Boats, Sails, Standing and running rigging near entirely ruined. In short Words are insufficient to describe the Horrid scene. The damage is great and cannot possibly be ascertained, as besides the expence of refitting the Vessel it has knocked up our Cruise. The Tryon happily received no further Damage than 2 or 3 people slightly wounded. Capt. Stiles humanely offered us every assistance and staid by us till next day, when we had got our Main Mast fished and our other Damage so far repaired as to be able to make a Shift to get to New York. We likewise must not forget to mention Capt. Phillips of the Diana, who staid in sight of us till next forenoon when finding us still afloat, he naturally concluded, the only assistance in his power which was to save the people in case of our sinking could not be longer requisite.

On Board the Snow Vengeance Saturday 22<sup>d</sup> May 1779.

Signed by

When, a few days later, the "Vengeance" sighted Sandy Hook, it was not to make that triumphant return towards which her officers and crew had looked with jubilant expectation; instead, she crept up the Narrows disabled and humiliated and anchored at New York as one who has been wounded seeks a hospital. During the three or four months that followed it cost a pretty penny to repair the damage wrought by Captain Dawson of His Britannic Majesty's Ship "Renown," but the renovation went steadily forward. The prize schooner "Fannie" was purchased at public sale for an even £500 and fitted up to serve as a tender for the "Vengeance." New cordage, new spars, new sails and anchors were provided for both; two new "double fortified 4 pounders" were bought at a cost of £100; powder ammunition costing £672 1s.

10d. were added to that which remained from the first cruize; a new boat was purchased for £84; the "good night glass" was not forgotten; abundant provisions were supplied, including the "parcel of bread from the *Le Hardy*" which Captain Dean had desired and when the privateer and her tender were again ready for the sea the debit side of the privateer's account stood charged with the handsome sum of £7151 17s. 5¾d. York currency. The schooner was re-christened the "*Langolee*," Captain Black commander, with twenty-two officers and men, and both set sail Monday, September 28, for a trial trip preparatory to their longer cruize. A portion of the log of the "*Langolee*" is preserved which tells us what the daily rations of a privateersman were in the 18th century. Breakfast was at 8 A. M., dinner at noon. Each man was to have six pounds of bread per week, with a half pint of rum per day, his grog to be stopped for wrangling or quarrelling, or for getting drunk; "Bargow and Butter" for breakfast, with a pound of beef at dinner on Mondays, Wednesdays and Fridays, and on the alternate days rice and butter for breakfast with a pound of pork with pulse for dinner and on Sundays rice and molasses for breakfast with flour and beef for dinner.

On the second day after sailing they succeeded in capturing the American privateer sloop "*Revenge*," Captain Edward Yorke, from Philadelphia, a vessel of thirty-five tons burthen with a crew of thirty officers and men; armed with eight three pound and two pound cannon and eight swivel guns, commissioned, as the condemnation papers recite, "by the persons Stiling themselves the Delegates of the United States of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the three lower Counties on Delaware Maryland Virginia, North Carolina South Carolina, and Georgia, Rebels to our Lord the now King to Cruize against the Vessels and Effects of His Majestys Liege Subjects." The portion of the "*Langolee's*" log which is preserved ends October 9th, when the tender, having become separated from the "*Vengeance*," was being pursued by some larger craft and it would appear that she was captured by the vigilant Yankees, for reference is afterwards made to the exchange of some of her crew including Captain Dean's brother. The "*Vengeance*" however returned to New York, and completed such further preparations as were needful. On November 5, 1779, Captain Dean writes from Sandy Hook: "I have just now returned from on board the Admiral, who gives me Permission to sail without even being examined. The Anchor is just heaving up and we proceed to Sea immediately. . . . If there is any Opportunity of writing to

Bermuda I beg you will not Omit it as 'tis highly probable I will touch there for Water."

Fortune, that fickle dame, did not smile upon the "Vengeance" now as once she did. An unkindly fate that had touched her with a heavy hand when she encountered the "Renown," still followed her on her second cruize. When next the doughty captain wrote, his tone was by no means cheerful.

S<sup>t</sup> SIMONS ON BOARD THE VENGEANCE  
Dec<sup>r</sup> 26<sup>th</sup> 1779

*D<sup>r</sup>. Sir*

I wrote You from the Hook informing you of my intention of proceeding to Sea immediately which I did with the Loss of my Anchor. I'm sorry to tell you that a Series of hard Luck has attended me ever since—being obliged to quit the Coast off Virginia, where I intended to cruize for some time, by the continual heavy Gales. Dec<sup>r</sup> 22<sup>d</sup> I arrived at the Island of S<sup>t</sup>. Simons to clean and Water—and have had the Misfortune [to] lose my Boat with twelve hands. I hope however they cannot escape, as I mean to pursue them immediately to Savannah—where I suppose they have gone. I will be able to write you more fully from that place. In haste I am D<sup>r</sup> Sir

Your most Ob<sup>t</sup>. Ser<sup>t</sup>

GEORGE DEAN

A fortnight later he wrote as promised.

SAVANNAH, 10<sup>th</sup> Jan<sup>y</sup> 1780.

*Dear Sir*

I wrote You from S<sup>t</sup>. Simons, informing You of my safe Arrival at that place, and my Intention of cleaning and Watering there. It inform'd You likewise of the Loss of My Boat and twelve hands, who found means to give me the Slip on Christmass Night. Three Days after, however, I had the good Fortune to catch them all, on my Way here, Two of the Ring-Leaders I properly secur'd and brought with Me. The rest I left in Irons on board the Snow.

My Expedition to this place has been truly a disagreeable one—having been driven ashore on the Island of S<sup>t</sup>. Catharine's, and very narrowly escap'd with My Life, and since my Arrival here, three of my Boat's Crew (Hugh Wyllie, John Neilson and John Harris) on whose Fidelity I thought I cou'd depend, have deserted, and left me in the Lurch. This last Circumstance has distressed me greatly—detaining me so much longer than I expected. Tomorrow, however, I set off for S<sup>t</sup> Simons and hope to proceed to Sea immediately on my Arrival there.

As I stood in Need of some Necessaries—I have drawn on You for £40 Stg. in favour of M<sup>r</sup> John Tunno, a Copy of the Acco<sup>t</sup>. You have enclos'd.

I hope I shall soon have the pleasure of writing You on a more agreeable Subject.

If I sho<sup>u</sup>d have the good Fortune to take any prizes I shall send them to this Place or to Bermuda, 'till I can have an Opportunity of conveying them to York myself.

**A** Stephen joins me in wishing to be remember'd to You and Mr. Richardson.

Believe me to be, with great Esteem  
Your most Obed<sup>t</sup> Serv<sup>t</sup>.

GEORGE DEAN

**B**y the endorsements in the hand of John Porteous it appears that it was April 27, 1780, before either this letter or the one that preceded it reached New York, and this was the last that was ever heard of Captain George Dean or of the privateer, "Vengeance."

**J**uly 11, 1780, John Richardson, who had not accompanied the "Vengeance" on her last cruize, wrote to Mr. Porteous from Sandy Hook as he was about leaving on a mercantile venture to Charleston, S. C.: "Yesterday a brig passed from Bermuda which I took to be Morgans, and it gave me the utmost uneasiness. I was from the same reason prevented from getting on board her to see if I could learn anything of Poor Dean. I beg you'll not forget to let me know first opportunity to Charlestown if you have heard of him." On August 22 he wrote from Charleston "Pray have you heard anything of poor Dean? Mr. Tunno's Brother informed me it was his firm intention to cruize a little time off Virginia and if still unsuccessful push for the West Indies, as he was determined to bottomry the Vessel rather than not do something, well knowing that returning without a prize was almost equivalent to a total loss of the Vessel. As this is the case I form hopes that he is yet safe poor fellow."

**J**anuary 20, 1781, Captain George Knowles, who had been the first lieutenant of the "Vengeance" on her former cruize, now having another command, wrote from Charleston, S. C.: "I am bound for Jamaica and I hoap to learn som Account of the Snow Vengeance." It proved a vain hope, and two years later, in April, 1783, a letter from England to Mr. Porteous written by Trevor Bomford, announcing the death of his brother Thomas Bomford (late captain in the 35th infantry), who had been a shareholder in the "Vengeance" says, "I will esteem it a particular favor if you will acquaint me, particularly about the Snow Vengeance and if She has been heard of."

**W**hether the ship was lost in some fierce battle with the elements, or was sunk by the guns of her enemies, remained shrouded in mystery and may never be known. With that last word of hopeful expectation from her courageous Captain, her record was closed; the "Vengeance" with her officers and crew disappeared from history and passed forever out of mortal sight and ken.

HENRY R. HOWLAND.

## DOCUMENTS

### *The Papers of Sir Charles Vaughan.*

(*First Installment.*)

MOST of those who have studied the social history of England in the nineteenth century as revealed in memoirs and letters are acquainted with the name of Sir Henry Halford, the physician to the King. But in all likelihood only a few think of him as originally bearing the name of Vaughan and belonging to a family of exceptionally wide-spread and varied distinction. One of Sir Henry Halford's brothers was a judge. Another was head of Merton College, Oxford, and after the comfortable fashion of that age of pluralities combined with that post the deanery of Merton. The seventh son of the family, Charles, won a position in his own profession, that of diplomacy, fully as distinguished as that of any of the family. A portion of his career should have a special interest for American readers and with that I propose to deal.

That the two best known members of the family should have won distinction through medicine and diplomacy was but appropriate. At a later day Charles Vaughan labored not a little to trace his pedigree to the fountain-head and to establish a connection with that great Welsh house which claimed the poet Henry Vaughan, the self-styled "Silurist" as a member. No claim of connection could be found and Charles Vaughan had to be contented with tracing the family line back to his great-grandfather who graduated in medicine at Leyden and who married the daughter of Sir Henry Newton, a diplomatist of rare repute. Thus the chief traditions of the family were in those lines, medicine and diplomacy, in which two of the best known members of it afterwards won distinction.

Charles Vaughan was born on December 20, 1774. He was brought up at Rugby School and at Merton College, Oxford, and was in 1798 elected to a fellowship at All Souls' College in that University. That supplemented by the bequest of a small property from one of his mother's kinsmen saved him from being driven by need into any precipitate choice of a profession. His early aspirations were towards his father's calling, medicine, and before becoming a fellow at Oxford he studied medicine for two years at

Edinburgh. There was, however, in Charles Vaughan something, in the better sense of the word, of the adventurer and a good deal of the citizen of the world. The tradition of Welsh descent was as we have seen no more than conjecture. But there was assuredly in Vaughan no small share of the winning and versatile temperament of the Celt. He was neither a profound thinker nor a profound student. But he was acute and observant and such as his mental resources were, natural and acquired, they were all in available small change. Of his own letters no great number are known to be extant. But he was addicted, to a perilous extent, to hoarding the letters of his friends, and what a man receives is hardly less a key to his nature than what he writes. The letters of Vaughan's correspondents plainly show that he had the gift of winning confidence and good-will readily from men of all sorts and conditions. He is constantly doing small kindnesses pleasantly and graciously. His friends look to him for advice in practical difficulties. He is one of those who, without theories of life, see the practical bearings of an emergency and the safe way out of it. He had too the outward graces which are helpful to men in most walks of life and certainly not least in diplomacy. His portraits show us a face of regular and high-bred beauty with an expression full of keenness and purpose, and their evidence is confirmed by those who remember the original.

Vaughan's walk was assuredly that for which above all others his temper and habit of mind fitted him. But the chief impulse from without was given by what we call chance. In 1803 the University of Oxford elected Vaughan to a travelling fellowship, tenable for five years. These years were spent in France, Spain and the Levant, and in adventurous wanderings through western Asia which finally landed Vaughan at St. Petersburg. The resource, the knowledge of and interest in all sorts and conditions of men, thus developed, were an invaluable portion of Vaughan's training as a diplomatist. He kept full and it must be confessed often rather dull journals. Of these some were lost in a shipwreck on the Caspian. But enough survive to show Vaughan's taste for close observation, his keen interest in all the details of the economic life which he saw about him. His temper throughout is the temper of the man of affairs, the shrewd, practical observer, interested in details and not fettered by theories. He has always a keen and observant eye for economical matters. He admires scenery conventionally; he is genuinely interested in crops and manufactures. The every-day comedy of life, the details of incident and character, attract him; he is all the time developing a



natural facility for dealing promptly and on short acquaintance with a succession of men wholly differing in stations and habits.

In 1806 at St. Petersburg he formed the acquaintance of Charles Stuart, afterwards Lord Stuart de Rothesay. That was in a sense the turning point of Vaughan's life. Two years later Stuart was sent out by the English government to watch British interests in the Spanish peninsula and as opportunity offered to organize resistance to Napoleon. Stuart saw that Vaughan's age, temper and antecedents, especially the knowledge of Spain and of the Spanish language, which he had acquired in his travels, would make him a useful subordinate, and he appointed him as his private secretary. Vaughan's sympathies with the Spanish cause soon found vent in a practical and one may say in some sort a permanent form. In a letter to his sister he says, "I must see the gallant Palafox before my return to England." The design was carried out. Vaughan visited Palafox, was entertained by him for a time and accompanied him as a volunteer in the campaign. This intimacy and a visit to Saragossa itself enabled Vaughan to produce a short account of the siege of that town, which was published in England early in the following year. Vaughan himself states in the preface that his main object in publishing was a practical one, to raise a fund for the relief of the people of Saragossa, distressed by one siege and threatened by another. One can hardly doubt too that Vaughan felt that he was at the same time in a perfectly legitimate way advancing his own interests by establishing a reputation as an authority on Spanish affairs.

In more than one respect Vaughan's Spanish experiences served as a valuable training for his later American duties. One of the problems forced upon his notice during his time of service at Washington was the internal condition of Mexico and also the relation of Spain to her revolted dependencies. In both these matters it was of great service to him to be familiar with Spanish habits of thought and Spanish methods of political action. Throughout Vaughan's career at Washington, his views are marked by what one may call a sane optimism. He over and over again insists on the fact that though American politicians may say unfair and indiscreet things, though American citizens may collectively seem reckless and irresponsible, yet there is always an underlying current of common sense on which we may rely. To distinguish the surface froth from the better elements which underlie it and which really go far to make up national life, this was a lesson which Vaughan had mainly learned from his experience of the Peninsula war.

Once entered on the career of diplomacy Vaughan's progress was at once rapid and sure. We find him returning to England during the course of the war, consulted officially by the Marquis of Wellesley and privately by William Windham. One incident is specially noteworthy. It was Vaughan's melancholy duty to convey to Sir John Moore the news of the Spanish defeat at Tudela, news which told the British general that his own position had become untenable. Of Vaughan's interview with Moore only one recorded incident remains, interesting enough in itself. At a later day Vaughan wrote that Moore had told him it was impossible to defend Portugal without having command of Spain, a view which, as Vaughan points out, was disproved by Wellington at Torres Vedras.

Upon the conclusion of the war and the restoration of Ferdinand, Vaughan remained in office at Madrid as chief secretary to the British embassy. If a full view of the worst and meanest side of royalty be a good training for one who has to deal with a democracy, assuredly Vaughan enjoyed it to the full. During the darkest days of the struggle he had never lost heart and hope. But there must have been moments afterwards when he was tempted to ask

"In God's name then what curse befell us  
To fight for such a thing."

Vaughan's papers are full of passages, illustrating the levity, the moral worthlessness and the political incapacity of the King. While the government is ostentatiously carrying on a crusade against houses of ill fame, the person at the head of it is engaged in an intrigue with a girl of low station. Political importance is given to this by the fact that the mother of the royal mistress is trafficking in public offices.

"The leading feature in the character of Ferdinand," Vaughan writes, "is a distrust of every one but particularly of his Ministers and an inclination to deceive them, and it is remarkable that all those who have been suddenly disgraced by him and dismissed and banished from his court have been convinced just previously to their fall that they enjoyed the most unbounded favour and confidence, some unusual mark of familiarity or acquiescence in their opinions having been manifested towards them by the King. To Ferdinand's natural distrust and inclination to deceive is added a temper incapable of forming any attachment or friendship." And this last charge is supported by numerous instances where he betrayed the adherents who had stood by him in poverty and exile. From Madrid Vaughan went in 1820 to the embassy at Paris. Three

years later he was for the first time placed at the head of an embassy, that at Berne, and in 1825 he was appointed to Washington.

The best and simplest way of dealing with Vaughan's career in America will be to consider in succession the various specific questions on which disputes or at least discussions arose and then to touch on his despatches so far as they illustrate important issues on the internal politics of the Republic. These topics include :

(1) Various questions which might arise out of the breaking up of Spanish America into independent republics. (2) Disputes as to the boundary which separated New Brunswick from Maine. (3) Steadily increasing friction as to the reciprocal advantages to be mutually awarded to America and Great Britain in commerce, especially in commerce with the West Indies. (4) That ever recurring bone of contention, the right of search and impressment, complicated and embittered by a cognate question, the suppression of the slave trade.

By a fortunate chance Ward, the British representative in Mexico, had been formerly a colleague of Vaughan in Spain. In 1827 Ward was superseded in consequence of his extravagance and was succeeded by Pakenham, who had served under Vaughan at Berne. Both were of something the same mental stamp, acute, self-reliant and somewhat prejudiced : both were copious letter-writers and thus we get in their correspondence with Vaughan pictures of Mexican politics and of the relations of Mexico towards Great Britain and the United States, often no doubt prejudiced, but always vigorous and original. Each regarded with intense suspicion the American minister, Poinsett. There is a touch of irony in the fact that when all memory of his supposed Machiavellianism has faded away, Poinsett should be enjoying such immortality as the name of a flower can bestow on its discoverer.

According to Ward, Poinsett was in everything aiming shrewdly and somewhat unscrupulously at building up American influence in Mexico ; he induced Mexico to consent to the doctrine that free bottoms make free goods ; but he did so by a concession, embodied in a secret article, to the effect that during the war between Spain and Mexico all American vessels carrying Spanish goods, west of San Antonio and fairly within the Gulf of Mexico should be lawful prize. He was also purposely leaving the question of boundary in a state of ambiguity so as to give opening for future aggression.

The chief difficulty in the relations between Mexico and the United States, the struggle for Texas, is as yet no more than an undefined cloud on the horizon, but it is there. As early as 1826 Ward in a letter to Vaughan, to which I have already referred, dis-

cusses the American designs on Texas. The boundary will be left undecided. There will be a gradual influx of American settlers. Already Poinsett has been trying to float a land company for Texas in New York and promising the support of the government. The territory will have become American *de facto* before the question of right is fairly settled. There is also among Vaughan's papers a remarkable memorandum dated Mexico, Feb. 18, 1830, and headed secret. It does not read like the writing of Pakenham and is more probably a translation of some document written by a Mexican and addressed either to Pakenham or Vaughan. It sets forth the case very clearly from a strongly anti-American point of view. It opens by declaring that "the History of the United States is one of steady and continuous encroachment, not with the noisy pomp of conquest, but with silence, perseverance and uniformity." Mexican influence in Texas is to be gradually undermined by a steady in-pouring of squatters from the United States. Already the law of emancipation passed by the Mexican government has been set at defiance. Yet in a later paragraph the writer qualifies this by admitting that the law as applied to Texas has been modified, owing to the difficulty of enforcement. The writer goes on to point out the special value of Texas as a province of Mexico for agricultural purposes, for the production of ship timber and for internal navigation. Such a province close at hand, enjoying the advantages of slave labor, will be a formidable rival to the really Spanish portion of Mexico. Yet the writer's remedial proposals are utterly futile. The coasting trade between Texas and the rest of Mexico is to be developed. Texas itself is to be used as a settlement for convicts, and so garrisoned against encroachments. It would be difficult to imagine a scheme more certain to bring about the very result dreaded. We see from Pakenham's reports that the ultimate annexation of Texas must not be looked on as an isolated act, but as the culmination of a train of events, of which, when once started, the conclusion was well-nigh inevitable.

Another source of anxiety to Vaughan and his correspondents is the likelihood of Mexico in conjunction with one of the other Spanish-American republics attempting to seize Cuba. Fortunately the danger is lessened by a cumbrous provision in the Mexican constitution which, while it left the President free to employ the navy as he pleased, made the concurrence of the House of Deputies necessary for any land operations. Clay was the American foreign secretary and he and Vaughan were fully agreed as to the necessity for checking any such attempt. It might, Clay sees, entangle America in difficulties with the powers of the Old World and it

might bring about a servile insurrection, a prospect which at one time filled the South with the dread of "*proximus ardet*." Clay hoped that some good may come from Russian intervention. Vaughan has little hope in that quarter. He is more inclined to rely on the fact that the Spanish Government has "most unaccountably contrived to put Havannah in a respectable state of defence"—a sarcasm clearly based on recollection of the Peninsula war.

The danger of the United States's being dragged in is increased by the fact that Porter, the commander of the Mexican fleet, was an ex-officer in the United States navy. Poinsett too is, one may say of course, suspected of giving underhand encouragement to these schemes which his government disavows. Yet strange to say Vaughan mentions a report current at Washington, that certain Spaniards in Cuba were plotting a counter-revolution in Mexico and that Poinsett was abetting them. It would seem as if Poinsett was one of those unhappy men who through some defect of manner and character, contrive to excite suspicion and to have a reputation for duplicity far in excess of their real deserts. It is clear too that the Mexican government was trying to play off the two powers, England and America one against the other. Poinsett's successor, Butler, apparently an upright and truthful man, told Pakenham that he had been assured by the Mexican government that in any quarrel with America, Mexico would have the support of England.

Mexico is not the only one of the newly created Spanish-speaking republics of which we learn something from these papers. There is among them a despatch from Colonel Campbell, the English representative in Colombia, drawing a melancholy picture of that country, honeycombed with intrigues and only redeemed by the honesty and public spirit of Bolivar. One passage in a letter of Campbell's is interesting as showing how among thoughtful Americans something of a reaction was setting in from the buoyant self-confidence of Jefferson and his school. In April, 1829, Campbell writes to Vaughan: "General Harrison [the American minister in Colombia] declared in a large company in my presence that Federation would be the ruin of any of the new States and that even in the United States they found the greatest difficulty in making the system work from the almost impossibility of distinguishing between the powers of the individual state and the Union." There are alarming rumours too of repudiation. But this will probably be checked, Campbell thinks, by the respect which was felt in Colombia for the public opinion of Europe.

The following letters reproduced as they appear in the Vaughan papers<sup>1</sup> throw light on the question of the interoceanic canal, and on other problems growing out of the South American conditions as well as on other diplomatic questions of the time.

JOHN A. DOYLE.

1. VAUGHAN TO CANNING.

WASHINGTON. 2. October 1826.

*Mr. Canning,*

Sir, Mr. Palmer of New York, who calls himself the "general Agent" of the Central American and United States Atlantic and Pacific Canal Company,"<sup>2</sup> has lately been at Washington, and I have the honor to inclose an article, which has appeared in the newspapers, purporting to give an abstract of the terms and conditions of the contract lately entered into by a company at New York and the Republic of Guatemala.

By the inclosed article it appears, that the canal across the isthmus of Panama by the lake of Nicaragua, is to be navigable for ships: that the Republic of Guatemala is bound to permit the cutting of timber for the works—to furnish plans and charts, to procure workmen, and to indemnify the owners of lands—The accounts of the Company are to be audited every six months by the Republic, and interest at the rate of 10 per cent, to be allowed upon the sums expended.

The company is to receive two thirds of the amount of duties and after the payments by the Republic of the capital vested in the canal, the Company is to be entitled for seven years, to receive one half of the nett proceeds, and to have the exclusive privilege of navigating the canal with steam boats for 20 years, free of duties, the Company to fix the amount to be paid for freight on board steam-boats, and for towing vessels through the canal.

Thus the navigation of the Canal will be completely in the hands of the Company formed in the United States, though the Contract provides that the navigation shall be common to all friendly and neutral nations, without any exclusive privilege.

<sup>1</sup> At the death of Sir Charles Vaughan his papers passed into the possession of his nephew, the second Sir Henry Halford, and passed from him to his son the third baronet, upon whose death they were transferred to All Souls' College, Oxford. They were left with the understanding that Mr. Doyle was to have custody and use of them. The collection is a miscellaneous one, a great mass of private correspondence, memoranda of all sorts, pamphlets, newspaper extracts, and copies of diplomatic correspondence, as well as full journals of Vaughan's travels. Most of the letters printed above are themselves copies probably made by one of Vaughan's staff.—ED.

<sup>2</sup> See Niles's *Register*, Vol. 31, pp. 2, 3, 72, 73.—ED.

<sup>3</sup> The directors of the Company were DeWitt Clinton, Stephen Van Rensselaer, Morris Robinson, Edward Livingston, Charles J. Catlett. Full accounts will be found in *House Reports* Thirtieth Congress, Second Session, No. 145, especially pp. 362-375.—ED.

It is said that the estimate of the expence to be borne by the Company, does not exceed half a million of Dollars, and that the subscription has been filled up at New York.

As this Canal is to pass by the river San Juan and the lake Nicaragua it is supposed that the excavation will not exceed seventeen miles.

## II. VAUGHAN TO CANNING.

WASHINGTON. 20. Octr. 1826.

*Mr. Canning,*

*Sir,* I have already taken notice to you of a company at New York, which have obtained a contract from the Govt. of Guatemala for making a ship canal across the Isthmus of Panama by the lake Nicaragua. Having observed, that the Agent of the Company was at Washington, about the time of Mr. Clay's return, I took an opportunity of asking him what countenance this Govt. was likely to give to that scheme.

Mr. Clay informed me that the agent of that Company had been indefatigable in his endeavours to engage through himself and other ministers, the Government of the United States to take part in this contract, but that it was resolved that the Govt. should have nothing to do with it in any shape.

If the Canal was to be made by any foreign power he should not regret that it fell to the lot of Americans to effect it, but that he was convinced that it must be carried into effect with the consent of all nations, studiously avoiding any privileges reserved for any one.

I could not collect from Mr. Clay, that his Govt. entertained a better opinion of the capability of the company to effect the enterprize which they have undertaken than which may be collected from public report.

## III. VAUGHAN TO CANNING.

WASHINGTON. 30. Sepr. 1825.

*Sir,* the American Minister of State, Mr. Clay, has informed me, that he has received from Mr. Rufus King, a report of an interview which the latter has had with you, in which he tells me that a coincidence of opinion, and a frank unreserved expression of your sentiments had prevailed in a manner to render that report most interesting and satisfactory.

Mr. Clay went on to tell me, that after the last battle which took place in Spanish America, and which seemed to have completely destroyed the Royalist army, the United States had conceived that it would be worth while to endeavour to get the influence of Russia to bear upon the Court of Spain, in order to bring about a peace between the latter and its late American Provinces. Mr. Clay then read to me a note, in which the Govt. of the United States recapitulated to the Emperor of Russia the leading features attending the separation of the Spanish American Colonies, the importance of preserving to Spain the Islands of Cuba and



Porto Rico and pressed upon the consideration of the Emperor many other points which it is unnecessary for me to attempt to recapitulate as I understand that a copy of this representation has been laid before you.<sup>1</sup> I observed that it was dated the 10th. of May 1825 and I understand that no answer had yet been received to it.

Mr. Clay afterwards put into my hands, a letter which he had received from Mr. Rufus King (a copy of which I have the honor to inclose), in which he transmitted to Mr. Clay a copy of a letter which you had addressed to him dated Wortley Hall August 7th.

Having been made acquainted with these papers, I was naturally anxious to collect what impression had been made by the proposition contained in your letter to Mr. King. Mr. Clay observed to me, that it was his conviction, that Spain was to be acted upon only through her fears, or her interests, and that when Spain once felt secure about Cuba, by the combined declaration of other powers, that she would then more obstinately persist in refusing peace to her American Provinces.

Mr. Clay however seemed very sensible of the importance of any measure that should bind France<sup>2</sup> within the same line of Policy and forbearance with regard to Cuba which was laid down by Gt. Britain and the United States, and he read to me part of letter from the American Minister at Madrid, dated in July last, from whence I inferred, that jealousy had been entertained here of the projects of France with regard to Cuba, as the letter stated, that the most positive assurances had just been given him that the King of Spain had never had the intention for a moment of ceding either Cuba or Porto Rico to France or to any other power.

Mr. Clay observed to me that if France continued to send large Squadrons of ships of war into the West Indian Seas she must expect that in future other States would require an explanation of their objects. That the occupation of Cuba by a French force would be just grounds of war on the part of the United States. He expressed to me his conviction that sooner or later the Island of Cuba would become independent of Spain—That its continued dependence on Spain, as at present, was in his opinion, was the most desirable thing that could happen, it being impossible to consent to its falling into the hands of any maritime State. But its independence might require the guarantee of those States, or it might be annexed to the Republic of Colombia or of Mexico. His views upon this subject as detailed to me, coincided with those which he had formerly stated to Mr. Addington and which that gentleman reported to you in his Dispatch marked separate of the 21st. May 1825.

<sup>1</sup> See *Memoirs of John Quincy Adams*, VI. 544; VII. 8-10, 15, 88.—ED.

<sup>2</sup> This is brought out clearly as the policy of the government in Adams's conference with the Russian minister, *Memoirs*, VII. 10. On August 21, some five weeks before the date of the letter above given, Poinsett had written Clay concerning a rumored attack by a French fleet upon Cuba and Mexico. The English and American ministers acted together on the matter and the Mexican government, with the approval of our minister, referred in its notes to the principle of the Monroe doctrine. *Am. St. Papers, For. Rel.*, V. 909.—ED.



Mr. Poinsett the Minister from the United States at Mexico, has given information that the agents from the disaffected at Cuba are very busy in that City, in persuading the Govt. to fit out an expedition for the purpose of effecting their independence and Mr. Clay believes that the Republic of Colombia is disposed to act in concert with that of Mexico.<sup>1</sup> It was evident that Mr. Clay considered the dependence of Cuba upon those Republics, as preferable only to the intervention of any European Power, that of the United States being impossible.

Though I did not feel myself called upon to give any opinion upon the proposed plans with which I had become acquainted, by the papers which he had allowed me to read, I could not help expressing my satisfaction upon finding that some means had been devised, which might possibly end in calming all our uneasiness, about the intervention of the French on the one hand in the valuable Islands belonging to Spain, and on the other from the doubtful chance of any satisfactory settlement of their independence of the new Republics of Mexico and Colombia. I ventured to observe also that if a suspension of arms could only be obtained from the projected representation to the Spanish Govt., it would have the best effect upon the interior of the Spanish American Provinces and that it would contribute to check the piratical adventures upon those coasts, which had given our respective Govts. so much trouble.

I am sorry that I cannot after all that passed between myself and Mr. Clay, form any distinct notion of what will probably be his instructions to Mr. King respecting the proposal for a combined representation to the Spanish Govt., and I was disposed to believe that the recent departure of the President from Washington, on a visit to his Father, and which is to occupy him a month had probably prevented due discussion of this subject previously to his departure, but I observed Mr. King's letter was marked as received on the 15th. Sepr., and the President did not set out until the 21st. inst.

I have every reason to be satisfied with the unreserved manner in which Mr. Clay has communicated with me on this and other occasions, and using all due discretion and reserve with regard to the information which has been imparted to me, I shall take care to communicate to you whatever may transpire, about the decision of the Govt.

#### IV. VAUGHAN TO WARD.

WASHINGTON. Feb. 13, 1826.

I began my mission to the United States, under a conviction, that the British Govt. attached great importance to its relations with this country. A spirit of conciliation pervaded both Govts., altho' certain points of collision, such as the boundary line, the commercial intercourse with British Colonies and the indemnification for slaves under the St. Petersburg convention still subsisted, they were in the course of arrangement by commissioners and negotiations in London. It seemed therefore,

<sup>1</sup> See *Adams's Memoirs*, VII. 16.—ED.

that a very important part of my functions here, in order to facilitate the adjustment of differences which were in negotiation, was to conciliate the good humour, and cultivate the good feelings, which both Govts. were ready to assure me existed between them.

Now, I regret, that a jealousy should have been excited at Mexico, by Mr. Poinsett's conduct, which is at variance with the tenor of the declarations repeatedly made to me by this Govt., that the United States seek no exclusive privileges in Spanish America. That they will follow implicitly the open and avowed conduct of Gt. Britain in that respect.

You will perhaps say, that this may be their policy, in their commercial relations, but that they are seeking to make a general Federation of America, which is to exclude, in every possible shape, European connections, and that the United States seek to be placed at the head of that Federation, for the purpose of directing its operations and feelings, and that thereby in any future rupture between us, and the United States, a power is to be thrown into the scale of our enemy.

I confess that I look upon the new States of America, as of value, only, to the rest of the world, on account of the commerce to be carried on with them, and that I am not under the slightest apprehension of England being thrown overboard by Mexico, and the other States, or even by the United States, so long as raw produce must be exchanged for manufactures, so long as the New States require assistance in their great financial difficulties, and so long as they are so perfectly inadequate to their own defence against the enterprizes of European Powers, without the maritime friendship of England.

I confess that I do not fear that influence which the United States may seek to obtain, by placing themselves at the head of an American Confederation—I count upon the prejudices, the repugnance of all Spaniards to listen to strangers, upon their fanaticism, as safeguards against any overbearing influence of the United States until I find that they have entered into stipulations positively injurious to European Powers.

With regard to the encroachments in Texas, I learn from the Mexican Mission at Washington, that settlements from the United States were established in that Country at the solicitation of the Mexican Govt. It was lately stated in Congress here, that the Province of Texas had given away as much land as is contained in the United States territory of Arkansas, and that by those gifts a multitude of useful citizens had been enticed from this country. It was stated that more than 20,000 persons have left the Western States of this Govt. for the Province of Texas. It does not seem however that they amalgamated well with the old Spanish settlers, as it is their custom, whenever crime is to be punished, or disputes to be settled, to send for a judge to the neighbouring State of this Union.

The encroachments in Texas have arisen therefore rather from the imprudence of the Mexicans than the intrigues of Mr. Poinsett. There must always exist between the United States and Gt. Britain a certain rivalry in commerce and navigation, but I have been lately under a con-

viction, that our interests are compatible with each other, and inclined to contribute all in my power, to the extinguishing of our old animosities, and to the jointly profiting by the new commercial relations opened up to us, by the independence of the Southern half of America.

It will be long before the New States can tempt us into a closer Political connection, than that arising out of commerce. Our connection with the United States is of a different character, and I should regret the possibility of your being obliged to act in opposition to Mr. Poinsett in Mexico, in a manner that should induce an impression at Washington that we are jealous of them in the New States. In my anxiety however to cement the Union between Gt. Britain and the United States, I should be anxious, in no shape to relax your vigilance in watching the conduct of the Agents of the latter at Mexico.

I am very anxious to know the nature of the Treaty which Morier and yourself negotiated with the Americans, and also the nature of the 'Treaty' made by Mr. Poinsett, and which the Mexicans have lately rejected. The newspapers at Washington have told us, that one Article in the British Treaty conceded the point of Neutral flags, making neutral goods. The United States will be delighted at such a concession,<sup>1</sup> (which we have hitherto refused at so much loss of life and treasure), as I find that in discussions recently in Congress, it has been thrown out, as an argument for assisting at Panama, that that question might there be agitated, and the best effect might be produced by the New States of America insisting upon that condition in their treaties with other Powers.

I do not know how to reconcile the supposed anxiety of the United States to form a general Federation of America, with themselves at the head of it, with the backwardness and the opposition which has been manifested by both Houses of Congress, to accept the invitation to assist at the Congress at Panama. Colombia, Mexico and Guatemala invited the United States to send Representatives to Panama—The President accepted the invitation and named Messrs. Anderson and Sergeant to go there—That appointment requires the confirmation of the Senate, and immediately after the meeting of Congress, they were called upon to ratify the appointment. Up to this day they have not decided whether they will approve of the appointment or not. In the meantime the House of Representatives, have discussed the question upon the pretext of asking for papers respecting the invitation, and the result has been, a strong manifestation of dislike to the United States entering into what they call *entangling alliances*.

<sup>1</sup> Full particulars in *American State Papers, For. Rel.* folio edition, Vol. VI., pp. 578 ff. Poinsett was instructed to secure a treaty of limits and also a treaty of amity and commerce. The former treaty was made and adopted; the latter was not finally ratified by both parties.—ED.

<sup>2</sup> "That free ships shall also give freedom to goods" was stipulated by Art. 16 of the Poinsett treaty which was finally not adopted. The same stipulation appears in the treaty of 1831, Article XV., 1, and in almost the same words. The treaty of 1831 was obtained by Butler, Poinsett's successor, but he seems to have profited by Poinsett's labors.—ED.

Pardon me, my dear Ward, for writing you so long, so tiresome a letter, but you seemed to wish to have my opinion upon some points, and I am very anxious to encourage you to communicate with me in the very satisfactory and interesting manner, in which you have done lately—  
etc. etc. etc. (Signed) CHAS. R. VAUGHAN.

V. VAUGHAN TO WARD.

WASHINGTON. 28. March 1826.

*My dear Ward,*

Since I last wrote to you I have been told by Mr. Obregon the Mexican Minister to the United States, that Morier has returned to Mexico, but I do not yet hear whether our Govt. has consented to rectify [ratify?] the commercial treaty which you conjointly made.

Some light has been thrown upon that Treaty during the discussion in the Congress of the United States, respecting the expediency of this Govt. accepting the invitation made to it by Colombia, Mexico and Guatemala to assist by Representatives at the Congress about to be held at Panama. I send you two newspapers which contain the correspondence between Mr. Clay and Mr. Poinsett, upon the subject of the latter having decided to reject any article in the Treaty between the United States and Mexico, of a nature similar to one said to have been inserted in the British Treaty with Mexico, granting the concession to the New States of special commercial privileges. You will see in the letter of Mr. Clay to Mr. Poinsett that this Govt. approves of the conduct of the latter.

These papers however have brought on a discussion in Congress, upon the subject of the pledge which Mr. Poinsett has undertaken to assert to the Mexican negociators, that the United States have given to bear the brunt of any contest which may arise out of the interference of any European Power in the independence or Government of the New States.<sup>1</sup> The House of Representatives disavows this pledge and declares that it knows of no other foundation for it, than a passage in the Message to Congress of Mr. Monroe Decr. 1823. In that message Mr. Monroe observed that any interposition by any European Power, for the purpose of oppressing or controlling the destiny of the States, whose in-

<sup>1</sup> Poinsett was instructed to repeat to Mexico the substance of the Monroe Doctrine. In a letter to Poinsett dated November 9, 1825, Clay said: "But when an attack is imagined to be menaced by Europe upon the independence of the United Mexican States, then an appeal is made to those fraternal sympathies which are justly supposed to belong to our condition as a member of the American family. No longer than about three months ago, when an invasion by France of the island of Cuba was believed at Mexico, the United Mexican Government promptly called upon the Government of the United States, through you, to fulfil the memorable pledge of the President of the United States in his message to Congress of December, 1823. What they would have done had the contingency happened, may be inferred from a dispatch to the American minister at Paris, a copy of which is herewith sent, which you are authorized to read to the plenipotentiaries of the United Mexican States." (*American State Papers, Foreign Relations*, Vol. VI., p. 583.)—ED.

dependence of Spain the United States had acknowledged could not be viewed in any other light than as "the manifestation of an unfriendly disposition towards the United States."

There is a wide difference as you will perceive, between the pledge asserted by Mr. Poinsett to have been given and the expression of the Ex-President Monroe. The Congress has required from the President, information, to know whether the executive Govt. has subsequently given instructions to Mr. Poinsett to hold out that the United States have given the pledge which he puts forward as an argument to induce the Mexicans to close with his terms for a commercial treaty. It is not doubted but that Mr. Poinsett has no other authority for his assertion than the message of President Monroe, which, I remember, made a strong impression in Europe couched even in his moderate language.

I think it right to put you in possession of what may be collected of the policy of this country with regard to Mexico and with the new States in general, by adding a newspaper copy of the instructions of Mr. Adams (now President) to Mr. Anderson when he was sent to Colombia.

The mission to Panama has met with considerable opposition in the Congress. The President accepted the invitation from Mexico, Guatemala and Colombia, but his nomination of Mr. Anderson (at present Minister to Colombia), and of Mr. Serjeant a Lawyer of Philadelphia, required the confirmation of the Senate. In that body a personal opposition to Mr. Adams exists, which has grown out of the past Presidential election. Much time has been lost in taking the subject into consideration—and great delay in bringing it to a decision. At length about the 15th. of March, the Senate decided to confirm the nominations made by the President by a majority of 24 to 19.

In the House of Representatives the subject is still under discussion, as they are required to make an appropriation for the expence of the mission. I am assured by Mr. Clay that the measure will certainly pass this House.

From the moment of the meeting of Congress in Decr. this question has been in agitation. The Plenipotentiaries cannot yet depart for Panama until the House of Representatives have voted the supply and they will not debate the question before Monday 3rd. of April. A dislike of meddling with the Congress at Panama at all, has been manifested in a considerable degree, and all this delay does not indicate the eagerness of the Nation in general to take their station, as the directing head of the new Republics, according to the principles of Mr. Poinsett.

We must not however allow ourselves to be lulled into a negligent observance of the conduct of the United States by their repeated declarations of equality and reciprocity in commercial regulations and their abhorrence of entering into alliances, which may "entangle and compromise" them—But at the same time I would inculcate great vigilance respecting their political movements in the new States, I apprehend that it is of great importance, not to risk the growing good-will between our respective Govts. by any exposure of jealousy on our part, of the attempts

of the Agents from the United States, to obtain the ascendancy at which they seem to aspire.

Depend upon it, that it will be but a fruitless effort on the part of these people to win the affections of so bigotted, so prejudiced, so ignorant a people as the descendants from Spain in America and that too, in opposition to all that they must owe to England for protection, for interchange of manufactures, for the produce of her mines which England alone can enable her to procure, let alone the impression of her power which the last contest in Spain against France must have left upon the new States.

With regard to your colleague Mr. Poinsett I must tell you that he enjoys a great reputation among the politicians of Washington and that there is very little disposition to doubt about his judgment.

I wrote you, not long since by New York, but I do not know whether a conveyance was found there for my letters. We are without news from England later than the 20 Janry. Many packets are due. The last intelligence received at New York, stated that Dawkins had been appointed to go to Panama. I am anxious to hear from him upon the subject. I think it is well that somebody should be sent to keep our Govt. acquainted with what is going on. We are told that the Deputies from Peru, Chili, Mexico, Guatemala and Colombia are already assembled. The Commissioners from the United States will arrive in time, it is said, because the business will be confined at first to the Belligerents.

VI. WARD TO CANNING.

MEXICO. 7 April 1826.

*The Right Honle. George Canning,*  
*Sir,*

It is with unfeigned satisfaction that I am, at length enabled to inform you that M Camacho's mission to England has been sanctioned in the Senate by a majority of 23 to 4.

The question was not brought on till this morning, and the decision was communicated to me almost at the same moment by a message from the Senate, and by an Aide de Camp of the President.

After the apprehensions expressed both by Mr. Morier and myself, with regard to the result of the discussion, you will probably be surprised at the manner in which it has terminated: But in a country where public opinion is not founded on any fixed principles and where the ignorance and suspicions of the leading men expose them to the attacks of those whose interest it often is to turn this want of fixed principles to account, you must not wonder at any fluctuations, however sudden, or however great the contradiction to which they must lead.

In the present instance I am bound to state my conviction that the Senate was *surprised* into the decision respecting the mission of M. Gomez Pedraza, without being at all aware of the consequences, with which that decision might have been attended.

The Government, from a foolish confidence in its own influence, took no steps to explain the real nature of the question, or to clear away that obscurity in which Mr. Poinsett had contrived to involve it: nor was it until General Victoria was roused into action by the disgrace of one failure, and the apprehension of a second, that any efforts were made on the part of the executive to carry a point of such vital importance to the Country.

It would be doing the President great injustice however, were I to refrain from stating, that, from the period of my conversation with him (of which I had the honor of giving you an account in my Dispatch No 22) up to the present moment his exertions have been as indefatigable as his inactivity in the first instance, was imprudent. To my knowledge, he has even gone so far as to declare, not to one but several Senators, that he would no longer remain at the head of affairs, if, upon such an occasion the honour, and plighted faith of the Government were to be again wantonly sacrificed.

I shall not attempt to explain, sir, the anomaly of such energetic language being held at one time, and such unaccountable apathy displayed at another. It is one of those contradictions peculiar to this country, which one must take advantage of, but which it is impossible to account for. Certain it is, however, that upon the present occasion it is to this change of conduct on the part of the President that we must attribute in a great measure the sort of revulsion which has taken place, in the feelings of the Senate with regard to Mr. Camacho.

I must confess likewise the utility of that delay which, in the first instance, I was inclined to regard as disadvantageous. By putting off the discussion time has been allowed for giving a wider circulation to those opinions which it was absolutely necessary to disseminate, and I have little doubt at present, that had the question been brought on a week ago, altho' it might have been carried, the result would not have been nearly so satisfactory.

Genl. Victoria has been seconded by men of all Parties: The arrival of Genl. Bravo<sup>1</sup> in the Capital, which took place about ten days ago, secured the co-operation of all his friends; all those who regard a connection with England as essential to the interests of this Country of course, sided with Government, and latterly, many, even of Mr. Poinsett's adherents, finding that there would certainly be a majority against them, endeavoured to make a merit with the President by offering him their votes.

Amongst them Mr. Zavala's name must not be omitted who, with that delightful inconsistency which I have so often had occasion to remark upon here, after doing everything in his power out of the Senate to get M Camacho's appointment thrown out, finished by speaking and voting

<sup>1</sup> *Nicholas Bravo*, a Mexican general of distinction. Chosen Vice-President in 1824. In 1825 he was at the head of a rebellion against the government demanding the acceptance of the plan of Montañó. He was unsuccessful. He was president for a short time in 1846.—*Ed.*

for him in the House. With General Bravo's frank and manly behaviour I have been much pleased ; when I first spoke to him upon the subject of M. Camacho, soon after his return to the Capital, he told me fairly that he could not perceive what interest England could have in insisting upon the appointment of a Minister when there was evidently so strong an objection on the part of the Senate to allow any one holding a responsible official situation to leave the country. I explained in reply the misapprehension under which he laboured, and had no sooner convinced him, by shewing him the official correspondence (which, strange as it may appear, had not been communicated to him by the President), that our only anxiety was to enable the Government to redeem a pledge, which had been *voluntarily* given and not sought—much less insisted upon—by Gt. Britain, then he assured me that I might depend upon him, and upon the vote of every individual over whom he had the least influence ; and such the event has proved to be the case.

With regard to the Senate, I must repeat, that it was *surprised* into its former decision.

I have naturally been thrown into very close communication with several members of that body during the last fortnight, and I have found them certainly labouring under a false impression, but by no means unwilling to allow that impression to be removed. Many were strongly prepossessed against M. Camacho's mission, not because they did not attach sufficient importance to the object of it, nor from any indifference as to the results, but simply because they had been taught to believe, by the American party, that M. Camacho was *not* the man to whom such a mission ought to be confided.

It required no little time or patience to convince men, thus schooled betimes, that they had been most grossly imposed upon, and that the persons who had shewn so much activity in endeavouring to mislead them were perfectly aware that unless M. Camacho were intrusted with the negotiation, its failure would be inevitable. In effecting this, the letter which I had the honor of enclosing in my Dispatch No. 22 and of which several copies were put into circulation, was of some use ; and though the language used in that letter, was certainly strong, I can hardly regret the circumstance which rendered that language necessary, for I am inclined to believe, that the lesson which the Senate has now received will be of use hereafter, by putting many well meaning men upon their guard against the designs of a party which, in the present instance had so nearly succeeded in involving them in a fatal contest with His M's Government.

For the line which I have myself taken in this discussion I shall make no apologies: Convinced that exertions were imperiously called for on our part when foreign influence was so openly exerted against us, and trusting that you would not disapprove of an interference, however direct, the object of which was, *not to influence the decision of a question purely Mexican*, but to neutralize the hostility of the party opposed to us, and thus to afford the Government and well-disposed portion of the Chambers of Mexico an opportunity of giving His M's. Government a



proof of their real sentiments ; I have steadily adhered to the course which, in my Dispatch marked separate, and dated 18th. March, I stated it to be my intention to pursue. I have indeed, been forced to assume a higher tone than I then thought necessary but His M's. Commissioners by keeping in the background during the first discussion, had given their opponents an advantage which nothing but very decided measures could have deprived them of : I did not therefore scruple to run the risk even of widening the breach in the event of a second failure, in order to convince the Mexicans of the extreme importance of the point which they were about to discuss ; and I threatened them with a positive rupture with Gt. Britain, as the best means of preventing that rupture from taking place. I am willing to confess however, that nothing but the success with which it has been attended, could warrant the expedient to which I resorted, and it is to your indulgence that I must look for my justification.

It now only remains for me to add that M. Comacho's health is completely restored and that he will take the very first opportunity which presents itself of proceeding to England.

It would be presumption in me to express even a wish with regard to the reception which His M's. Government may think proper to give to the proposals of which he is the bearer ; but after the very signal defeat which the American party has sustained upon the present occasion, I should indeed be grieved if M. Camacho's mission were to terminate in a manner which would inevitably throw the game here once more into the hands of the United States.

I have the honor to be etc. etc. (signed) H. G. WARD.

#### VII. WARD TO VAUGHAN.

MEXICO. 23 May. 1826.

*My dear Vaughan,*

I am very glad to have so early an opportunity of acknowledging your very interesting letter of the 28th. March.

The Packet by New York has not reached me, which I regret the more as I do not perceive by that now before me that you have received the copies of my correspondence with the Foreign Office, and other letters which I sent you as far back as the 28th. of last November, and which I should be sorry to think were lost.

It is true that you discuss the same subjects as those to which these letters alluded ; but still they may have been brought before you merely by the publication of Mr. Poinsett's correspondence.

Under this impression I send you a duplicate copy of a Dispatch, which will give you a sufficient insight into the nature of the contest which I have had to sustain with Mr. Poinsett here. He has fought a hard battle, and is, as you justly describe him, a man of great talent, and, in every respect, a most formidable antagonist. Fortunately the United States have many vulnerable points. They have thwarted the

views of the Government with regard to the Island of Cuba, and the strong language of the President on this subject is not at all liked.

They have offended Mexican vanity by putting in a claim to be considered as the heads of the great American Federation.

In the North, they are bad neighbors, and have excited serious apprehensions with regard to Texas, by their systematic encroachments.

All these motives of dissatisfaction on the part of Mexico have been in my favour, and I do not hesitate to confess that without them I must have quitted the field.

With the best wishes to preserve that good understanding between our two Governments which you justly deem so important, I have been unable at times, to keep on very friendly terms with Mr. Poinsett. This was more particularly the case just after Morier's departure, when the question respecting Mr. Camacho's mission to England was still pending, and when we were almost involved in a personal quarrel. Since that great point was decided, things have gone on more smoothly, and we are now on very good terms.

I do not think that there is any immediate prospect of Mr. Poinsett's bringing his negotiation to a conclusion: Mr. Camacho who is a firm, and thoroughly honourable man, refuses, and I think with much reason, to sign a commercial Treaty, without coming to some explicit understanding respecting Boundaries, and insists upon an official Declaration, adopting the line fixed by the Treaty of lines and referring to a commission the correct geographical definition of that line.

Mr. Poinsett wishes to keep the whole question open, to make it a subject of a separate negotiation, and thus to afford time to the emigrants from the United States, who have already overrun a great part of Texas, to establish themselves there so firmly, that it will be impossible to expel them; in which case he probably hopes that a cession of right may be easily obtained.

Upon this point the Governments are at issue: Mr. Poinsett is procrastinating in the hope that when Mr. Camacho goes to England, he may succeed better with some other negotiator.

In this hope he will be disappointed; for the President has given a solemn promise to Mr. Camacho, that nothing shall be done during his absence, and that no Treaty shall be signed without him. I, therefore, feel but little apprehension with regard to the result, and have likewise the satisfaction of knowing, that, so far from obtaining any privilege or advantage over us Mr. Poinsett is forced to yield many of the points which we have virtually carried, trusting to the stipulation that the United States shall be regarded as the most favoured nation, for the attainment hereafter, of those concessions which he cannot now obtain.

Mr. Camacho's health is quite restored, and he is now only waiting for a proper conveyance which I am daily in expectation of being able to obtain for him.

A French general commercial agent (Mr. Martin) has recently arrived here; he met with anything but a favourable reception at first, and

it required no little labour to convince General Victoria, that even although his credentials were exceptionable, it would, at all events, be highly advantageous to Mexico to allow a man of respectability to reside here, in order to counteract those reports, which Spain so assiduously circulates with regard to the state of affairs in these countries. Intrigues could not long be carried on without being detected, and when detected might easily be cut short.

Mr. Martin appears to me a sensible and intelligent man, and nothing can be fairer than his professions: If he acts up to them he may be sure of my warmest support in every thing; for to induce the other powers of Europe to follow the example of Gt. Britain, is, I know, Mr. Canning's object, as it will be the best proof of the merits of his enlightened policy.

The United States need be under no apprehension with regard to the arrival of their Plenipotentiaries at Panama in time: The Mexican Plenies. M. M. Michelena and Dominguez have only just left Acapulco: They were to have sailed on board the *Asia*, but most fortunately for them, a plan was discovered on the part of the crew, to make amends for their treachery last year, by carrying the vessel into some Spanish port, where they thought that such a peace-offering as the Plenies. to Panama, would ensure them not only pardon, but rewards.

A law has just passed here abolishing all privileges and distinctions of Nobility.

Another, (of some importance) making it high treason to *propose* treating with Spain on any terms, but the unqualified recognition of the Independence, under the present form of Government, and subjecting to eight years imprisonment, any individual (whatever be his situation) who shall, either publicly or privately, bring forward a proposition on the part of the Spanish Government, or *any other in its name*, to grant to the Mother Country any species of indemnity, or compensation for the loss of her ancient supremacy—This will put an end to any idea of mediation on the part of Great Britain, tho' I had seen too much of the obstinacy of H. C. M. ever to think that Mr. Lamb's efforts on this subject would be of any avail.

I have now, I believe, told you all that has passed here of late: I shall therefore, conclude by hoping soon to hear from you again, and by assuring you that I shall ever remain,

My dear Vaughan,

Most Sincerely yours

H. G. WARD.

VIII. WARD TO VAUGHAN.

MEXICO. 10th. June 1826.

*My dear Vaughan,*

I have at last the pleasure of acknowledging the receipt of your letter of the 13th. Feby., which has arrived from New York, just in time to enable me to thank you for it by the Courier whom I am about to dispatch this afternoon.

I need not tell you that I am most sincerely grateful to you for your advice, and honest opinion, nor will, I conceal from you the fact, that, had we been in communication sooner, and I had been assured by a person so well able to ascertain the truth, that Mr. Poinsett, in his plans here was not acting in concert with either the Govt. or the Congress at home, my opposition to him would have been conducted in a very different spirit.

But, I must in justice to myself observe, that it was impossible for me, or for any one here, to entertain a suspicion of the kind: who could suppose that a man of Mr. Poinsett's standing and high character in his own country, would expose himself to a disavowal like that which he has recently met with? Who could imagine that while taking a most decided line here, he reckoned upon no support at home?—Who think, that while speaking and acting in the name of his Govt., and moving Heaven and earth in order to establish his influence here upon the ruins of ours,—that Govt. would be proclaiming principles perfectly consistent with that spirit of fair competition, which it is neither the wish nor the interest of Gt. Britain to oppose?

I could only judge by facts which I had before my eyes, and those facts are more than sufficient to bear me out in the line which I have taken.

You must not, however, suppose, that while resisting, openly an open attack, it has been at all my wish to excite sentiments of rivalry, or throw any obstacle in the way of those conciliatory views, which I knew to have been adopted by Govt. with the United States.

My line has been, from first to last, a defensive one; and so far from opposing Mr. Poinsett where his views do not clash with our interests, (for which I agree with you in thinking that there is no sort of necessity) he will find me ready and willing to assist him whenever I can.

His power to hurt is gone, his influence has been upon the decline ever since he failed so completely in the attempt to get Camacho's appointment thrown out, and the late proceedings at Washington have deprived him even of his most zealous partizans. Personally I have never disliked Mr. Poinsett, tho' there has been once or twice a sort of collision between us; but let him but meet me half way, and he will find me most ready to give up everything like opposition to him. But, I need dwell no further upon this subject: the inclosed copy of a Dispatch written just before your letter reached me, will shew you both the state of my feelings upon the subject, and those of the people here.

IX. WARD TO VAUGHAN.

MEXICO. 27 Octr. 1826.

*My dear Vaughan,*

The three Dispatches of which I inclose copies, contain, a peu pres, all that I have to say, about the present state of affairs here, in as far as regards the points which are most likely to interest you.

Canedo's motion, (No 114) like many other good ideas in this country, has led to nothing; Esteva who is Grand Master of the New York Lodges, has stopped proceedings entirely, by not sending in the information which Gt. [government?] is requested to give, under the plea of not having yet been able to procure it from the States. In the meantime party quarrels are running higher than ever: The Press teems with libels, —and so many gross personalities have been published,—so many old Revolutionary stories brought to light, that if Spain were paying them to destroy their own credit as a Nation, they could hardly perform the task more effectually.

The contest for the Elections has carried this animosity into every corner of the Federation. You hear everywhere of Yorkinos, and Borbonistas, which term has, I think, been of late applied to almost every one who does not belong to the New York sect,—but more particularly to Genl. Bravo, and all his friends, whom it is the object of the Yorkinos to exclude, *at any price*, from power. They do not reflect that a party which comprises a very large portion of the wealth and talent of the country, will not patiently see itself hunted down by a set of needy and desperate adventurers—At least, they must not be driven to extremities, or I see that the next Election for the Presidency, will not be decided without an appeal to arms.

You can have no idea, My dear Vaughan, of the sort of men with whom the Yorkinos have sought to fill their ranks: 'Half pay officers,—clerks in public offices, (particularly in those under Esteva's control)—petty advocates, clergymen who are reduced to seek, by an affectation of Liberal views, that promotion which their characters have prevented them from obtaining before. Such are the elements of which the New York Lodges are composed,—and, with a sprinkling of names which ought not, certainly, to appear amongst such associates. Such the party

"Without any disparagement to its members, of whom many are both useful and distinguished men, I may say that the largest proportion of the Affiliés of this society consisted of the *novi homines* of the Revolution. They are the ultra-Federalists, or democrats of Mexico, and profess the most violent hostility to Spain, and to the Spanish residents . . ." H. G. Ward, *Mexico* (London: 1829), Vol. II., p. 408. With regard to Poinsett's influence in this matter see his defense in Niles's *Register*, Vol. XXXIII., pp. 23-26. He published in Mexico *Exposicion de la conducta politica de los Estados Unidos para con las nuevas repúblicas de America*. The congress of Vera Cruz declared that "he conceived a project the most disorganizing and terrible for the republic; which was nothing more nor less than the establishment of the lodge of York Free Masons." Niles, *Ibid.*, p. 13.

An account is found in Ward's *Mexico*, Vol. II., pp. 407-408. Poinsett was instrumental in establishing York lodges of free masons. The Mexican masons had belonged in most cases to the Scotch rite. He says himself: "The rite of York existed before his arrival in this country. He found five lodges already established, and he done [sic] nothing more than send for charters for them from the grand lodge of New York, at their request to instal the grand lodge of Mexico." The "Yorkinos" and the "Escoceses" became rival political parties; the former the radicals and the latter the conservatives. Extreme bitterness and rancor characterized the relations between the parties and the accusations of each were in kind, though not in degree, very similar to those existing in this country in Washington's administration.—ED.

which wishes to monopolize all Public Employments, and to form a New York Congress, in order to give the Country a New York President also !

Guerrero<sup>1</sup> and Esteva are both talked of for this dignity. Genl. Barragan likewise, who has been induced, very recently, to inscribe his name upon the New York lists, in the hope of obtaining it.

I do not, however, think that the party has yet as much influence as it imagines : The elections in the States have not gone in their favour at all generally, and where they have succeeded (as at Toluca), the law of elections has been so grossly violated, that it is probable that the elections themselves will be annulled.

In the meantime pecuniary difficulties are increasing in consequence of the embarrassments of the house of Barclay and of the wise resolution of our merchants not to send another vessel here, until the present absurd system of duties is modified. In short, things are decidedly in a bad state, and had Mexico an enemy of even common activity, the consequences might be more serious than I have ever hitherto imagined.

I regret this the more because of the extent to which British capital is embarked here—Our companies require nothing now but tranquillity, and their success cannot be doubtful.

I am going to undertake a journey on the 1st. to Guanajuato and Zacatecas : here I can do no good, at present, and I believe that if my interference be required later, it will be the more effectual from my being known to be connected with neither of the great parties of the day. Poinsett has certainly done himself no good ; by following a different line : He has all the odium of having created the sect which has given rise to those fatal Divisions by which the country is now torn to pieces, while Esteva has completely supplanted him in the management of its affairs.

X. PAKENHAM TO VAUGHAN.

Octr. 18/27. ,

I have already been once robbed and narrowly escaped being murdered at Noonday within pistol shot of the gate of the town ; there is not such a cut-throat country I am sure in the world. Our house is opposite to a sort of half prison, half hospital, where the killed and wounded are deposited after every affray. Five minutes don't pass without our seeing a wounded or a dead man *carried* in there.

XI. PAKENHAM TO VAUGHAN.

MEXICO. Sepr. 24. 1828.

*My dear Vaughan,*

The last letter I received from you was dated the 28th. May. I now proceed to answer it by the New York Packet which promises to sail from Vera Cruz on the 1st. of next month. Since I last wrote

<sup>1</sup> Vicente Guerrero suppressed the Bravo or Montaña rebellion of 1828 ; candidate for the presidency, 1828 ; defeated by Pedraza in the election. Rebellion ensued and Guerrero became President in 1829.—ED.

to you the question which has exclusively occupied everybodys attention has been the election of the President who is to enter on his office early next year. The States voted on the 1st. of Sepr. and the result has been a majority of two in favor Genl. Gomez Pedraza—the present minister of War—. You are already aware that the Yorkino party has been for the last 3 years moving Heaven and earth to secure the election of Guerrero—Their defeat, constitutionally speaking, is therefore complete,—but they are not the sort of fellows to acquiesce peaceably in an arrangement which has no stronger foundation than a paper constitution to which they have all sworn. They have now taken up arms, and seem determined right or wrong to set aside the election of Pedraza and place Guerrero at the head of the Govt.

The appearance of things is truly alarming—The insurrection began at Xalapa in the first week of this month—where a General Santa Anna, a character who has successively served and betrayed every party which has figured in this country since the beginning of the revolutionary war, headed a tumultuous meeting that was held for the purpose of intimidating the legislature of that State, Vera Cruz, to rescind the vote it had given for Pedraza, and vote for Guerrero—the Congress had firmness enough to resist, and to suspend Santa Anna from his functions of V. Gov. of the State, accusing him of Sedition and directing the military commandant to place him under arrest.

To this Santa Anna submitted for three days,—when having matured his plans, he started from Xalapa with 300 men of the garrison whom he had seduced from their duty, and took possession of the castle of Perote, a fortress which commands the principal road from the Capital to the coast,—where he has collected a force of about 1000 men, consisting of deserters from Xalapa and Puebla, and mounted peasantry, a description of force which is very efficient in the sort of desultory warfare which he will probably endeavour to carry on. The Govt. are taking for this country very energetic measures to suppress this insurrection, and the Congress luckily are cordially seconding this effort. A great reaction has certainly taken place in the public feeling since January last, when it seemed all over with the ‘Esoces’ interest, had the Govt. then had occasion to apply to the Congress for any laws, which would have been contrary to the views of the Yorkino’s, hardly a member of either character would have been found to vote for them,—now several measures aimed not only at Santa Anna and his followers but at the whole Yorkino system have been passed rapidly and without much discussion—1st. a law putting Santa Anna and his companions [to death] if within a certain time they do not lay down their arms—those who do will have their lives spared but they will undergo any other punishment which a military tribunal may think proper to sentence them to—2nd. a law for the better punishment of abuses of the liberty of the press—under the old law such offences being tried before a committee of the municipality, blasphemously called a “Jury,” composed entirely of Yorkino’s, condemned without mercy any publications contrary to their views, while any attack however

libellous or infamous against the opposite party enjoyed perfect impunity. You can have no idea of the atrocious and barefaced partiality with which the late law was administered,—There will be under the new one some chance of fair play. 3rdly. extraordinary powers, something like our suspension of the habeas Corpus act, have been voted to the President, which will enable the Governmt. to lay hold of the instigators of the mischief,—a measure which is likely to have the best effects. 4th. notice has been given for a motion for the suppression of Secret societies,—this is striking at the very root of the evil, and I sincerely hope it may be passed.

You must not be surprised to hear soon that Mr. Poinsett has been invited to walk off,—but I rather think that he is too cunning to let things come to that, and that in a few weeks we shall have the satisfaction of seeing him depart of his own accord.<sup>1</sup>

Now to return to Santa Anna,—you will find his plan detailed in the No. of the Sol which I enclose,—to talk of annulling an election made by the Legislative bodies, is imprudent enough but to say that they shall proceed to elect such a particular person, is the greatest burlesque upon the elective system that has yet been brought before the public.

You will see that he has made use of the popular cry against the old Spaniards,—this will I think get him more recruits than the rest of his professed objects not excepting that of the forced election of Guerrero.

The greatest danger the Govt. have to fear is the instability of the troops, and the greatest precaution is required to be used in order not to increase the strength of Santa Anna by the defection of the soldiers sent against him. I do not however despair of the ultimate result, tho' I fear that untill the interval which the Constitution most unaccountably interposes between the election and installation of the new President as Governor, we shall not have many quiet moments.

“*Gritos*” will of course, take place in other parts of the country—but Santa Anna's is probably the worst we shall have to encounter.

<sup>1</sup> The plan of Montaña issued by the Escoceses or Novenarios at the end of 1827 embraces four articles: suppression of secret societies; dismissal of the cabinet; dismissal of Poinsett; scrupulous enforcement of the laws. See the document in Ward's *Mexico*, Vol. II., p. 565.—ED.



## REVIEWS OF BOOKS

*Industrial Evolution.* By CARL BÜCHER. Translated from the third German edition by S. MORLEY WICKETT, Ph.D. (New York: Henry Holt and Company. 1901. Pp. xi, 393.)

DR. CARL BÜCHER, one of Germany's ablest economists, has been introduced to a wider circle of readers through the translation from the third edition of *Entstehung der Staatswirtschaft*, the work which has given its author his clearest right to the position he now occupies in the esteem of scholars. This translation fulfils an oft-expressed hope and is therefore a peculiar gratification to those American students who have enjoyed the stimulating influence of the author's lectures and teaching.

The first edition of the book appeared in 1893 and attracted such widespread attention that a detailed review of its contents seems almost superfluous. It will be recalled that the first essay which gave its title to the whole, traced the economic development of society through its succeeding stages from the independent domestic and town systems to a fully matured national economy. It captivated its readers by its mastery of historical detail in a period extending over thousands of years, by its power to interpret facts and to find in them the broad lines of historical evolution, and by the exhilarating quality of its style which carried the reader irresistibly with it in its onward rush. In pursuance of the same method the writer presented in a succeeding chapter an "Historical Survey of Industrial Systems" in which house-work, wage-work, handicraft, house industry and factory work find their places in historical sequence. These two essays were much criticised for inaccuracies of detail by certain historians whose methods of work are of the microscopic order. In reply Dr. Bücher rightly contended that these chapters were studies in economic theory rather than economic history and that such criticisms were entirely beside the point. Rapid outline sketches of extended periods have their place quite as truly as have the more detailed and labored investigations in more limited fields.

In the edition under review, a revised form of the two essays just mentioned is preceded by chapters on "Primitive Economic Conditions" and "The Economic Life of Primitive Peoples," delightful ethnological sketches in which special attention is given to economic phenomena. The method pursued in these studies is that of taking peoples of different stocks and of various cultural stages and considering the economic phenomena separately, a method fully justified "provided that, from the prodigious mass of disconnected facts that fill ethnology like a great lumber-room, we succeed in bringing a considerable number under a

common denominator and rescuing them from the mystic interpretations of curiosity hunters and mythologizing visionaries." The fifth chapter on "The Decline of the Handicrafts" discusses the vitality of hand work as a form of industrial activity and will be found of special interest to American readers. The author does not share the views of those writers who predict the annihilation of this class of workers. Handiwork is not perishing, he says, but is rather being restricted to the country where its peculiar advantages can best be realized. These five chapters form a treatise on economic history of so stimulating a character that we may safely predict for the volume an extended use in American institutions as an introduction to the study of economic theory. Of the remaining portions of the volume the chapters on "Union of Labor and Labor in Common," "Division of Labor," and "Organization of Work and the Formation of Social Classes" are thoughtful analyses of phases in our industrial development. The two chapters on "The Genesis of Journalism" and "Internal Migrations of Population and the Growth of Towns" might well have been omitted as destroying the unity of the work and possessing local rather than general interest.

The edition reflects great credit on its translator, Dr. Wickett. It shows painstaking care in its preparation, has closely followed the German text, and presents in a gratifying degree the graphic style of the original.

FRANK HAIGH DIXON.

*The Early Age of Greece.* By WILLIAM RIDGEWAY. In two volumes. Vol. I. (Cambridge: University Press. 1901. Pp. xvi, 684.)

GROTE doubted the wisdom of Bishop Thirlwall in casting discredit upon the statement of Herodotus (i. 57, 58) that the ancient Pelasgi were barbarians. What would he have said of the new theory of Professor Ridgeway which makes them the original inhabitants of the greater part of the Hellenic peninsula, and the authors of the splendid "Mycenaean" civilization!

Two comparatively late discoveries have slowly changed the attitude of the best scholars toward the problem of the Mycenaean culture. One is the discovery that the source of Aryan migration, at least in the periods to be considered in discussing the Mycenaean problem, was not the central tablelands of Asia, but central and southern Europe; the other is the discovery that the "Achaean" civilization represented in the Homeric poems is not identical with, but distinct from and later than the Mycenaean. And as the rapid progress of scientific excavation has enlarged the area over which the Mycenaean culture is known to have prevailed, and at the same time brought to light more and more impressive evidence of its richness and grandeur, it has become more and more imperative that some rational answer be given, at least provisionally, to the question—what was the people which produced this culture? This volume of Professor Ridgeway's marshals the archaeological, literary and linguistic evidence on which his identification of the Mycenaean people with the

ancient Pelasgians is based; a second volume, already in the press, will present the evidence for this identification to be drawn from institutions and religions.

The first chapter gives a convenient survey of the prehistoric remains and their distribution, compiled, of course, from the works of Schliemann, Furtwängler and Loeschke (not Loesche, as the name is continually misspelled), Heibig, Tsountas and Manatt, Frazer and the current archaeological journals. After passing in review the whole area in which Mycenaean remains have come to light, the chapter closes with a brief estimate of that remarkable civilization. It was characterized by remarkable skill in architecture, by the universal use of bronze as a metal (succeeding an employment of stone for weapons and implements), by lustrous pottery of artistic form and ornamentation, and by inhumation, not cremation of the dead. The authors of this culture of the eastern Aegean brought it to a glorious zenith between 1500 and 1200 B. C. When not disturbed by conquest, as in Attica, it passed gradually over into the culture of the classical period. "Our first real knowledge of the physical aspect of the race who produced the Mycenaean culture, has now been given us by the discovery at Cnossus of a beautiful 'life-size painting of a youth with an European and almost classical Greek profile.'"

The second chapter, the *pièce de résistance* of the book (pp. 80-292), asks and answers the question "Who were the Makers?" "What people produced the Mycenaean civilization is the most important problem in archaic Greek history." The chapter is an expansion of the author's paper in the *Journal of Hellenic Studies* for 1896 entitled, "What People made the objects called Mycenaean?" It was natural, after the brilliant discoveries of Schliemann in 1876, that scholars should hasten to identify the culture of the Mycenaean age with that revealed in the Homeric poems. It was "Achaean." But closer study since then has brought out such remarkable differences between the two cultures as to make their identification more than doubtful. A survey is therefore taken of the various races who have dwelt on the spots where Mycenaean remains have been discovered, in an effort to determine which was the most probable author of the Mycenaean culture. In Peloponnesus and Crete, the two most important centers of Mycenaean culture, a strong argument is developed that an indigenous, melanochroous population, which became the "Helots" of the one and the "Pelasgians" of the other after conquest first by the Achaeans and next by the Dorian Hellenes, was the author of the so-called Mycenaean civilization. The claims of the Dorians are easily disposed of. The Achaean claims are with more difficulty, but no less surely, disproved, beginning with the Peloponnesus, and gradually covering all the regions in which Mycenaean remains have been found. The Greek traditions show that "whilst there is no tradition of an Achaean occupation of Attica and other prominent seats of the Bronze Age culture, in every instance we could point to legends which connected the monuments with the Pelasgians. According to Homer, the Achaean civilization belonged to the Iron Age, and was therefore later than the



**Mycenaean.**" According to Greek tradition this Achaean domination lasted for about 150 years, and during this period the full Mycenaean culture suffered decline.

The claims put forward for Carians, Phoenicians, Hittites, Goths and Byzantines as the authors of the Mycenaean culture are successively and more easily refuted, and the fact that different bodies of Pelasgians were known under different names, as Minyans, Athenians, Arcadians, Danaoi, Argeioi, Ionians, is also successfully explained. It appears that "all the pre-Achaean royal families of Argolis, Laconia, Messenia, Arcadia, Corinth, Megara, Attica, Phocis, Boeotia, and Thessaly, and even Libya, all derived their lineage from Poseidon, from whom were also sprung the non-Achaean Phaeacians, and the Cyclops of the west; whilst on the other hand the Achaean chiefs were sprung from Zeus." The Ionians of Asia Minor had the cult of Poseidon as their common bond of union, while the worship of Zeus at Athens, Olympia, Ithome, and Crete was of comparatively recent date. Such conclusions are fair samples of the unifying results of Professor Ridgeway's main contention. Hitherto fragmentary items of archaic Greek history are given an appropriate place in a fair edifice of historical evolution. Although the evidence from Crete is as yet insufficient to enable us to judge of the relative age of the Mycenaean culture there as compared with that on the mainland of Greece, still legend and geography unite in indicating that "the focus of the Mycenaean grand style" was on the mainland of Greece; not in Attica, but in the richer Argos and Boeotia. "It was probably under the shelter of the great walls of Tiryns, Mycenae, and Goules, that the Pelasgian art took its highest form."

Chapters III.-IX. support this main contention, which is thus far based mainly on the literary traditions of the Hellenes, with all the available archaeological evidence. "The Homeric Age" (chap. III.) is shown to have differed from the preceding Mycenaean age in many essential criteria of culture. "Whence came the Achaeans?" (chap. IV.) is answered by tracing this fair-haired Celtic race from "the head of the Adriatic and from the great fair-haired communities of central Europe." "The early Iron Age in Europe" (chap. V.) attempts to show "that at Dodona itself, in Bosnia, and in all central Europe" there are traces of the same "Achaean" culture which the Homeric poems exhibit. "The round Shield" (chap. VI.) is shown to be the characteristic both of the Achaeans and of the folk of central Europe. As regards "Inhumation, Cremation, and the Soul" (chap. VII.), the practice of cremation and the attendant conceptions of the soul are shown to have proceeded from the forest regions of Europe down into the Pelasgian peninsula. "The Brooch" (chap. VIII.) is in like manner shown to have passed from north to south, as well as "Iron" (chap. IX.). This group of chapters is much the most satisfactory part of the book, and will provoke far less controversy than the rather strained literary interpretations of chapter III., or the daring identifications in the last chapter on "The Homeric Dialect." Here the theory that the

Homeric poems were composed on the mainland of Greece, already successfully launched by English scholars, is ably defended, and the surprising conclusions are ably drawn that the autochthonous Pelasgian race in ancient Thessaly and Arcadia, when covering the larger part of the lower peninsula, and before the intrusion of the fair-haired Achaeans, developed the literary Aeolic dialect and the hexameter verse, in which the Homeric poems were first composed. These poems are therefore Pelasgian, with an Achaean infusion after the Achaeans became the conquering and ruling caste.

Many details in this long and variegated argument will doubtless be disputed and disproved. The book invites *adversaria* as much as a book of Wilamowitz-Moellendorff; but its main contentions are likely to maintain themselves, and they reflect great credit on the penetration and comprehensiveness of the best English classical scholarship.

BERNADOTTE PERRIN.

*Roman Public Life.* By A. H. J. GREENIDGE. [Handbooks of Archaeology and Antiquities.] (London and New York: Macmillan. 1901. Pp. xx, 484.)

IN his preface the author states that "the object of this work is to trace the growth of the Roman constitution, and to explain its working during the two phases of its maturity, the developed Republic and the Principate." It was his desire "to touch, however briefly, on all the important aspects of public life, central, municipal, and provincial; and, thus, to exhibit the political genius of the Roman in connection with all the chief problems of administration which it attempted to solve."

Those who are interested in the progress of scholarship in the field of Roman history have felt a great need of a convenient, up-to-date manual of the Roman constitution. To supply this want several books have recently appeared, among which may be mentioned Taylor's *Constitutional and Political History of Rome* and Abbott's *History and Description of Roman Political Institutions*, as well as the volume now before us. A merit which Mr. Greenidge shares with the two authors here mentioned is the acceptance of Mommsen's view of the imperial constitution—a view necessarily familiar to the Germans but comparatively unknown to the English reader. We were taught by Gibbon, Merivale, and Duruy that the Augustan government was an absolute monarchy disguised in republican forms; but Mommsen has demonstrated that it was in fact a dyarchy, or joint rule of the *Princeps* and the Senate. Although Mr. Greenidge has well treated the constitution of the dyarchy, his space has not permitted him to show how it developed into the absolute monarchy of Diocletian. While regretting this limitation, the reader hitherto unacquainted with Mommsen's view will doubtless feel grateful for the light he receives from this volume. The description of the mature republican constitution, on the other hand, has nothing new for the English reader. But the treatment of this subject shows experience in dealing with legal and con-

stitutional questions and a fair appreciation of the mutual relations of the various governmental forces.

The historical introduction to his work, however, is substantially worthless, based as it is on the groundless hypothesis of an original "patrician state." It is true that the view Mr. Greenidge here represents is still widely accepted; but there have always been eminent scholars who have protested against this absurd fiction, and we may reasonably hope that the rising generation will abandon it altogether. Naturally those who object to the hypothesis in question do not believe that the *gentes* and the *curiae* were exclusively patrician. The *gens* in fact has been thoroughly misunderstood. It is not a primitive institution, but developed with the rise of the aristocracy. In Greece, for instance, it is post-Homeric. Again, in his discussion of the Servian "constitution," though he admits that the organization known by this name was simply military, he persists in confusing the army with the political assembly of the centuries. This confusion, however, he shares with many other writers. He has made a serious mistake, too, in adopting from Mommsen the distinction between *comitia* and *concilium* according to which the former signifies an assembly of the whole people, and the latter of a part of the people. These definitions were probably invented by Laelius Felix, a jurist of the second century A. D.; at least they can be traced no farther back and were certainly unknown in republican times, when the assemblies were still living. The republican annalists, represented by Livy, did not hesitate to apply the term *concilium* to the gathering of the whole people, and were equally ready to call the plebeian assembly a *comitia*.

Enough has perhaps been said, by way of criticism on Mr. Greenidge's book, to raise the question whether the conventional view of early Roman history which he represents is not radically wrong, and whether a more critical method of investigation directed by an historical rather than a juristic spirit would not yield more satisfactory results.

G. W. BOTSFORD.

*A History of Egypt in the Middle Ages.* By STANLEY LANE-POOLE, Professor of Arabic at Trinity College, Dublin. (New York: Charles Scribner's Sons. 1901. Pp. xv, 382.)

THE monuments of ancient Egypt are so numerous, and often on so grand a scale, its civilization goes back to such a remote past, the imagination of children is stirred so early by the story of Joseph and of the Hebrews in bondage, that it is perhaps not surprising that to many Egypt is simply the land of the pyramids, the land of the Pharaohs and the Exodus, and that to them the whole history of Egypt during the Middle Ages is a sealed book. Many, no doubt, have a feeling that the history of the country during this period has little of interest or of importance. Nor is the general reader entirely to blame for having this impression. We have a great number of books on ancient Egyptian

history, archaeology, etc., but, as our author points out in his preface, "in this volume the History of Egypt in the Middle Ages, from its conquest by the Saracens in 640 to its annexation by the Ottoman Turks in 1517, is for the first time related in a continuous narrative apart from the general history of the Mohammedan caliphate." Many a traveller who has admired the monuments of Saracenic art in Egypt, and has wished for some clear and succinct account of the rulers who left such beautiful memorials of their reigns, has felt the need of just such a work as this. So that a good book on this subject is sure of a welcome, not only from students, but also from travellers and from the general reader.

Our author has divided his book into eleven chapters, entitled respectively: "The Arab Conquest, 639-641"; "A Province of the Caliphate, 641-868"; "Tūlūn and Ikhshīd, 868-969"; "The Shīa Revolution, 969"; "The Fātimid Caliphs, 969-1094"; "The Attack from the East, 969-1171"; "Saladin, 1169-1193"; "Saladin's Successors (the Ayyūbids), 1193-1250"; "The First Mamlūks, 1250-1279"; "The House of Kalāūn, 1279-1382"; "The Circassian Mamlūks, 1382-1517". Besides the general list of authorities (pp. xiii and xiv), there is, at the head of each chapter, a list of authorities, and also, in the case of most of the chapters, lists of monuments, inscriptions, coins, etc. The value of these lists is at once apparent.

In a work in which there is so much of interest it will be possible to touch on merely a very few points. The author gives a very good account of the conquest of Egypt. In judging it, as in judging any discussion of the events connected with this period, it must not be forgotten that, as the author says (p. 13), "the chronology of the Arab conquest of Egypt is almost hopelessly bewildering." What the author has to say about the capitulation of Alexandria is interesting, especially his treatment of the legend of the destruction of "the Alexandrian library." In view of the lack of evidence for this particular story, it would seem about time for us to cease being obliged to read of this alleged act of Moslem vandalism. But such legends die hard. It is interesting to notice what the author has to say about the steadfastness of the Copts in adhering to Christianity, in spite of difficulties and of the temptations to go over to Islam. Noteworthy too is the independent spirit of the Kadi in a country and at a time when one is usually inclined to believe that bribery and servility are the constant rule. The table of governors and chief ministers of Egypt (pp. 45-58 inclusive), will be found valuable for reference. The same may be said of the table of alleged descent of the Fātimid Caliphs (p. 116), and the table of the Ayyūbid dynasties (to face p. 212).

The account of the caliph Hākim is particularly vivid and interesting. The life of this mad ruler had in it enough fantastic elements, and in his death he secured from one sect that recognition of himself which he had sought from his people during his lifetime, for, as we read on page 134, "to this day the Druzes in the Lebanon worship the Divine Reason incarnate in his singularly unworthy person, and believe that one day he will come again in majesty and reveal truth and judgment." The account

of Saladin (pp. 190-211) is partly abridged from the author's valuable *Life of Saladin*, and is well done, as are such descriptions of the movements of the Crusaders as fall within the scope of this work.

The description of the Mamlūk civilization, part of it reprinted, with emendations, from the author's *Art of the Saracens in Egypt*, chapter III., is especially valuable. The note on page 253, in which the system of Mamlūk names and titles is explained, will, no doubt, be welcome to many who have puzzled over the subject. Especial attention may be called to the account of the career of Beybars and that of Nasir.

Pages 359 to 382, inclusive, are occupied by a good index. The book is well printed on good paper and the illustrations add to its interest and value. The story of medieval Egypt is, in many respects, a fascinating one, and this story Professor Lane-Poole has told well. He knows his subject, his style is interesting and vivid, and an occasional touch of humor gives additional life to his narrative. Both Dr. Lane-Poole and the publishers are to be congratulated for this, the sixth volume of the great history of Egypt.

J. R. JEWETT.

*The Spanish People, their Origin, Growth and Influence.* By MARTIN A. S. HUME, editor of the Calendars of Spanish State Papers. [The Great Peoples Series.] (New York: D. Appleton and Co. 1901. Pp. xix, 535.)

IN the present book Mr. Hume offers an analysis of the Spanish people, built up about a condensed outline of the history of Spain from the earliest times to the present day. His special aim is to illustrate and explain the development of the Spaniard in the light of his origin and surroundings, and stress is laid, accordingly, rather on results than on the details of processes. Still the book is far from barren of the facts usually sought by the general reader of history, while the results reached along the lines that lead more directly toward the author's specific end will commend it to the more thoughtful and discerning student.

The book's great merit lies in the fact that it is the production of one who has a clear view of the greater part of the Spanish historical field, with a distinct understanding of its problems. The best portions are the chapters devoted to the times between the end of the Moorish domination and the accession of the Bourbons. It is here that the author is most and best at home, and his familiarity with the course of things in all Spain during these centuries lends him a sure touch and an excellent appreciation of the relative importance of events. There is perhaps no clearer account available of the processes determined in the peninsula by the various fate of the West-Spanish kingdoms during the struggle with the Moors; while the relations of Castile and Leon with Aragon, with the effect of their divergent political policies and economic systems upon united Spain are excellently brought out. The best of the whole book is the keen appreciation the author shows of the great influence exercised by the different economic conditions obtaining in the different parts of



Spain; although it were to be wished that his feeling for the institutional possibilities of his subject had been deeper.

So much praise can scarcely be accorded the generalizations made from the author's understanding of the historical apparatus at his disposal. Mr. Hume has not escaped the dangers to which the nature of his study especially exposed him. He has been drawn into making out of the mixed origin of the Spanish people at once a thesis and an explanatory formula, in the light of which he explains events and personalities. Thus he forces the influence of race and tradition far beyond its normal value, and discounts the influence of the personal element at all times. In his applications of his formula he occasionally lets his conclusions explain one another, and his deductions are too frequently *ex parte*; he lacks catholicity. For instance, in speaking of the accession of Henry of Trastámara, he says (pp. 218-219): "The personal character of Pedro the Cruel is a question of secondary importance to our present purpose. . . . But it is certain that had he been allowed to continue the policy of Alphonso IX., by which the territorial nobility were being gradually divested of their power, much of the turbulence and bloodshed of the next hundred years would have been avoided." It was precisely Pedro's "personal character" that made the nobles refuse to allow him to go on.

If we approach the book from still another side, it seems to be written without a due sense of proportion in the larger lines. The hasty and unsatisfactory treatment of the eighteenth and nineteenth centuries suggests that for Mr. Hume the development of the Spanish character comes to an end with the close of the seventeenth century. This needs no refuting; the two centuries just passed are unattractive in Spain, but far from unimportant. An amusing touch of insularity in the author is the omission of all mention of the Capitulation of Bailén, an event that overweighs in significance a wilderness of the murders and torturings for which Mr. Hume finds space. The chapters on art, architecture and literature are not ill-conceived, but are almost entirely at second hand and suffer accordingly.

The book is furnished with a good index, and with a bibliography that leaves much to be desired both in regard to arrangement and to choice of titles. It is quite uncritical: good and bad, modern and antiquated stand side by side without comment. It abounds with small but inexcusable inaccuracies and inconsistencies. A more serious matter is the misquotation of Dozy's *Recherches sur l'histoire et la littérature de l'Espagne pendant le moyen-âge* (Leyden, 1881): the title given on pp. 519-521 belongs to the smaller work first published in 1849. Still less to be forgiven is the carelessness, to call it nothing worse, that permits the entry of the works of Schack (p. 521) as Spanish translations from Valera and Mier. One notes with surprise the absence of any reference to the work of Dierx, Schäfer-Schirmacher, Lembke, Desdevise, du Désert and Henry C. Lea. Finally, the book would gain greatly by the addition of full critical apparatus. BENJAMIN PARSONS BOURLAND.

*Cheyney: Industrial and Social History of England* 339

*An Introduction to the Industrial and Social History of England.*

By EDWARD P. CHEYNEY. (New York: The Macmillan Co. 1901. Pp. x, 312.)

THIS is a text-book designed for college and high school classes. The author makes no claim to originality. He has undertaken to bring the essential facts in the economic evolution of a great industrial nation within the comprehension of the novice. Of the three text-books on English industrial history brought out by the Macmillan Company in the past five years Cheyney's gives best promise of finding favor with American schools and American teachers. Miss MacArthur's digest of Cunningham's *Growth of English Industry and Commerce* suffers for want of the illustrative matter that renders its great original so attractive. Townsend Warner gives the student a series of interesting and valuable essays rather than a consistent exposition of the evolution of industrial forms. Neither book is provided with bibliography, maps, or illustrations. Cheyney, on the other hand, supplies thirty-five cuts illustrative of the industrial life of England, authentic drawings of manor houses, manor lands, and gild halls, photographs of open field cultivation and farm buildings, together with facsimiles of a town charter, a gild roll, and a table of assize. The educative value of this pictorial evidence can hardly be overestimated. Such pictures as that of child labor in the coal mines, taken from the Commission Report of 1842, illuminate the subject more than pages of description. To the English student, for whom survivals of a past industrial order are familiar memories, these illustrations may be superfluous. Not so with the denizen of the new world who must reconstruct in imagination economic organisms to the comprehension of which experience gives him no clue. A valuable series of maps—the physical make-up of the British Isles, trade routes, medieval and modern, the distribution of population according to the poll tax of 1377, the hearth tax of 1750, and the census of 1891—serve further to define and actualize the student's conceptions. Each chapter, moreover, is provided with bibliographical notes, indicating the most available authorities and some of the more accessible source material.

In respect to aids to class work, Mr. Cheyney has greatly improved upon his predecessors. His discussion of economic phenomena, however, often leaves something to be desired. The text-book that is to serve as a beginner's guide must be, above all things, suggestive. It should be packed with information like a traveller's hold-all. Nothing may be overlooked, nothing omitted that is essential to the student's apprehension of the new idea. Success depends on a judicious use of space. Every word must be chosen with view to its significance, every sentence must be freighted with meaning. Judged by this standard, our author not infrequently fails. He allows himself to use vague and general terms that must plunge his reader into a state of baffling uncertainty. For example (p. 42), "week work was required sometimes for one number of days in the week during part of the year, for another during

the remainder." There is no hint of the necessity for securing a larger amount of service in the planting and harvest seasons that determined the variation. It is unfortunate to state (p. 18) that "the Danegeld was still collected from time to time, though under a different name," when, with the use of no more words, the substitution of carucage by Henry II. could have been explained. The assertion that the church in the days of Lanfranc and Anselm "was not so conspicuous as in Anglo-Saxon times" (p. 18) certainly requires justification. But the term "landlord," when used to describe the feudal relation between proprietor and cultivator, is positively misleading.

Some fifty pages of the three hundred and twelve at our author's disposal have been devoted to chronological reviews of national affairs prefixed to appropriate chapters. The purpose is evidently to supply an historical setting for the economic phenomena to be considered. This is really a waste of space. It would be better to suggest that the teacher who cannot presuppose in his students a sufficient knowledge of political history should refer them to a good text-book. No pedagogic purpose can be served by the mere rehearsal of the dynastic changes during the Lancastrian period so hurried as to allow of no reference to the social and political consequences of the destruction of the leading baronial families. So, in the sixteenth century, the succession of the Tudor kings is carefully stated, but there is no space given to the discovery of the new world or to the opening up of the sea route to the orient—events of transcendent importance to the commercial development of England.

Turning from questions of method to subject-matter, the severest critic must concede that Mr. Cheyney's account of economic conditions is beyond praise. His descriptions are clear, explicit and vivid. Details are presented in so logical a sequence that the bygone industrial form, the manor or the gild, is made to appear a rational and consistent whole. It is difficult to set forth in brief compass the manifold and varying phenomena of medieval life. Brevity seems to require definite and universal statements. This difficulty Mr. Cheyney has mastered. The confused and often conflicting customs of medieval society are recorded, while the significance of varying usage is rendered evident.

Apparently our author means to avoid controversial ground. Else why does he leave the student to wrestle with the impartial statement that the Norman administrative system was "either brought over from Normandy or developed in England"? It is to spare his readers a difficult controversy, perhaps, that Mr. Cheyney has chosen to open the history of the manor with the thirteenth century. The mass of detailed information to be found in "extents," bailiffs' accounts, and manor court rolls, serves to bring thirteenth century agrarian conditions into the full light of day, and the teacher may well hesitate to conduct his students back into the dim past, where records are scanty and conflicting evidence renders categorical statements untenable. But the alternative is more demoralizing to the interests of scholarship. The student ought not to rest satisfied with the checker-board puzzle presented by the open field

and raise no question as to the how and why of this ingenious waste of labor. The discussion of primitive land tenure presented in Seebohm's *Tribal System in Wales* is not beyond the comprehension of high school classes. The youngest student of industrial history should be encouraged to read *The English Village Community* and to trace the manor back to its origin, under the guidance of a master. Later researches may lead him to different conclusions, but that can do him no harm, whereas the failure to confront a problem and attempt its solution must dull his intellectual curiosity. Some suggestion as to the *raison d'être* of the manor system might have been given without reference to origins.

Notwithstanding serious defects, Cheyney's work surpasses that of his predecessors as an all-round, symmetrical representation of the economic evolution of England. The successive industrial forms are treated in just proportion; each institution is made to appear a part of its own social environment however alien to modern understanding; every advance in agriculture, in manufactures, in commerce and finance is given its due weight, the treatment of the origin and effect of banking being especially satisfactory. The results of government action in establishing trade monopolies, negotiating commercial treaties, levying import duties, and offering bounties on exports are accurately estimated as well as the limitations to the effectiveness of statute as compared with economic law.

In so brief a treatise many subjects of importance must be omitted; what and where is a matter of personal judgment. One is tempted, however, to record a protest against an economic discussion of sixteenth century England that ignores the wide-spread vagabondage engendered by the agricultural revolution and the debasing of the currency. So again, in treating nineteenth century conditions, our author ignores a similar epidemic of pauperism consequent on enclosures, the factory organization of textile industries, and protective tariffs. Pauperism is not a negligible quantity in a discussion of economic evolution. It may rightly be considered a social disease no less destructive of national prosperity than the Black Death. The attempts to cope with it—the new poor law, organized charity and various provisions for “the submerged tenth”—are quite as significant items in a *résumé* of the remedial work of the past century as are factory laws and the growth of trades unions. The reverse side of industrial progress is again ignored in recounting the repeal of the corn laws. The ultimate effects of free trade in food stuffs is not suggested. In matter of fact, the fall in the price of farm produce due to repeal and to cheapened transportation has well-nigh ruined farmer and landlord alike, has called forth more than one Commission inquiry, and has given rise to a wide-spread demand for “fair trade.”

Mr. Cheyney's book would have been rendered far more useful to the average reader by marginal references to the original authorities on points inadequately treated in the text. More frequent quotations from contemporary records would have given greater vividness and actuality to description. Examples of bailiffs' accounts in which competitive wages are recorded only to be stricken out in order that the statute wage

might be substituted, would demonstrate the failure of fourteenth century legislation. Medieval statute-makers had a commendable fashion of detailing the evils that their prohibitory enactments were meant to remedy. Many of their preambles are well worth quoting in evidence of contemporary opinion. Not even in the bibliographical notes do the original authorities receive sufficient attention. Whenever possible, the student should be put in possession of the first hand material for the author's conclusion. No study of domestic manufactures is complete without De Foe's account of the cloth weavers of Yorkshire. The disadvantages of open field agriculture have never been so well described as in Arthur Young's *Philippic*. Over against Alfred's arraignment of the employers of factory labor, should be set Ure's utilitarian philosophy. The full significance of the losing fight made by the agricultural laborers for a living wage can hardly be understood by an American reader without reference to the *Autobiography of Joseph Arch*.

KATHARINE COMAN.

*A History of the English Church.* Edited by the Very Rev. W. R. W. STEPHENS, B.D., F.S.A., Dean of Winchester, and the Rev. WILLIAM HUNT, M.A. In seven volumes. Vol. I. *The English Church from its Foundation to the Norman Conquest (597-1066).* By the Rev. WILLIAM HUNT, M.A.; Vol. II. *The English Church from the Norman Conquest to the Accession of Edward I. (1066-1272.)* By W. R. W. STEPHENS; Vol. III. *The English Church in the Fourteenth and Fifteenth Centuries.* By W. W. CAPES. (New York: The Macmillan Co. 1899-1901. Pp. xix, 444; xiii, 351; xi, 391.)

ANY one occupied with church history finds that down to the sixteenth century his imagination resides in Rome. From Rome he looks abroad to descry only those larger matters that loom above local horizons and enter into the general prospect. If this imaginative position secures perspective and clearness of general construction it fails to appreciate fully the manner in which the church system bore upon the national and parochial and individual life. The volumes of this series dealing with the English church to the close of the eighteenth century will be of special value as they lend concrete significance to the general account and explain the development of the institution which has so deeply affected both English and American life. The three volumes before our notice are a guarantee of scholarship for the whole series. A certain nationalist stamp on the Christian institutions of England may justify the title of the "English Church" before Henry VIII.'s time, but the first two volumes would have been the better had the authors conceived their theme a little more clearly as the history of the Catholic church in England.

With something of clerical feeling, Hunt dates the birth of the English church not from the conversion and baptism of the English but from

the consecration of Augustine as Archbishop. In the same spirit a large amount of the book is given to detail about appointments to prelaties and abbacies. The author is not wholly to blame for the absence of intellectual interests. It is not without meaning that John Scotus got his system out of English bounds and that his English pupils are reported to have stabbed him to death with their metal pens. Down to Wycliffe, England is easily omitted from any history of doctrine. It was a period of undisturbed theological slumber. The clergy were dispensers of sacraments and rulers of an institution. The only hint in Hunt's volume of a consideration of doctrine is when in the tenth century Abbot Aelfric echoes the eucharistic theory of Ratramnus of Corbie. Hunt ignores completely the effort of F. C. Conybeare to discover in the Celtic Christianity of Britain the early adoptionist christology and he credits no qualitative influence to the Celtic missions save that of an exaggerated asceticism. Blaming that excess, the author nevertheless enters into the spirit of the lives which he records and is generous in the ascription of holiness to men who earned the title by much fasting. If the long dispute about the date of Easter is the only thing to break the seemingly monotonous uniformity of early Christianity in England, the uniformity is most conspicuous in the constant miracles. In these the author has a singular interest and although he notices many simply as believed or, as in the case of Dunstan's pulling the devil's nose, attempts a rationalistic explanation, he is deferential if not credulous and in the preface argues for the acceptance of some miracles on the ground of evidence and suitability of character. Rejection of some is necessary because the works were contrary to the revealed will of God, but miracle in general is credible as the action of a law higher than that of the earthly universe. We hear much, therefore, of healings and visions and omens and incorrupt bodies of saints, but the line is distinctly drawn at a miraculous supply of mead for a drinking bout.

These things and the occupancy of sees claiming so much attention, there is no conception of historical development. None is found or explained. We have simply the succession of things which happened in ecclesiastical annals. One who is interested in the growth of the indulgence system turns to the English custom of money commutation of penalties only to find an incidental denial that this was due to church law. Naturally therefore Hunt fails to grasp any feature of church life as a problem for historical explanation. A typical instance is the monastic revival in the tenth century. This is treated simply as an importation of the Cluny reform into England, but, by Hunt's own account, Dunstan and Aethelwold seem to have, independently of the foreign model, yielded with new ardor to the claim of the religious ideal. What conditions stimulated them? We learn only the fact of their procedure. King Eadgar pressed the monastic reform but he was himself a profligate. His procedure is left all the less clear by Hunt's rejection of the story of doing penance to gain coronation. At Eadgar's death there was an anti-monastic reaction, described as political and social. Asking what political and

social interests were involved we get only a passing hint that the nobles lost control of the minster lands when the monks displaced the secular clergy. Why, again, did bishops aid in expelling the secular clergy with injurious results for themselves? A distinct feature of the English revival was the establishment of royal supremacy over convents. Simony and the inheritance of church estates by priestly families have only a passing mention and the impression left by Hunt is that attacks on clerical marriage were only an indirect result of the convent reform. Certainly however Eadgar attacked the marriage of the secular clergy and attempts were made to deprive married priests of their benefices. It may therefore be believed that English churchmen analyzed the problem of their time more thoroughly than is indicated and that they shared more fully the ideals of contemporary reformers on the continent. The insular point of view and the confinement of attention to the reform of the convents seem to have obscured some of the facts. One detail may be noted. The world's end "was expected at the beginning of the year 1000 in England as well as in Western Christendom generally." This is explanatory of a prediction in the Blickling homilies which were earlier than 971 and are not mentioned in Professor Burr's recent paper. Abbo of Fleury taught in England shortly after the editing of these homilies, and his apparent ignorance of them or of their popular effect makes against an English panicle. He testifies only to an obscure earlier sermon in France.

In general method the second volume resembles the first. It is for the most part a sufficiently minute account of institutional happenings of local and national interest but without the fullness and emphasis of certain greater episodes and personalities which we should expect. In particular, the treatment of Becket cannot compare with Milman's interest and distinctness. The reader fails to see in their full meaning certain critical events, which by their subsequent effects gave a certain plot and movement to the story of the English Church and should be salient in the literary construction, as the Conqueror's attempted separation of civil and ecclesiastical authority, the evils of simony and extortion under William Rufus, the reformatory charter of Henry I., and the appointment of Archbishop William of Corbeil as papal legate. The author knows the meaning of these things but he does not make them loom large enough out of the detail of his book. It is a misfortune that the student of church history does not learn more of the attitude of English churchmen to the great Gregorian programme. The battle of principles was being fought out in England. The struggle over investiture was brought to a compromise in England first of all. The demand for clerical celibacy was not so easily successful there as elsewhere, but the demand was certainly stronger than Stephens reports. His statement that the secular clergy took no vow of celibacy is not to be reconciled with the seventh canon of Westminster (1102). It would seem that this statement is due to a mistranslation of *profiteri*, for, in citing the canons of Westminster (1076), *non ordinare nisi prius profiteantur ut uxores non habeant* is rendered "not ordain any one un-



less he declare himself to be unmarried," while the context (Wilkins, I., 367), clearly makes it a pledge of future celibacy. If we wonder that marriage was entered into in spite of such an engagement we may recall that Alexander III. held that only a *votum solenne*, not a *votum simplex*, prevented marriage. As for the Gregorian idea in general it is evident that English prelates conceived it more in the sense of independence from the temporal power than in the sense of subordination to the papacy. They were affronted by the subserviency of John and Henry III. to papal feudalism. Englishmen, it is true, took small part in the great publicist debate, but without some indication that Anselm and Becket and others had a knowledge of the issues beyond the detailed incidents of their English experience they are not comprehended by the reader. Particularly is this true of Becket. The prelate to whom John of Salisbury dedicated his *Policraticus* had, as his letters show, a grasp of principle that relieves the aspect of arrogance and obstinacy. However, the eye of Stephens is for action rather than thought and for him as for Hunt there is a total absence of the history of theological ideas. Something might possibly have been gleaned but hardly by an author who finds Lanfranc's Augustinian view of the eucharist remarkable.

If the preceding books are sometimes wearisome by detail without perspective, the delightful work of Capes has not a dull page. It is packed with life. The period is rich in interest and the reader finds a mass of valuable facts skilfully constructed with a sense of just proportions and with an artistic imagination that presents the picture of English life in its vital movement with accomplished ease. We get the broader national and international aspects, but at the same time a vivid sense of the local and parochial experience of Englishmen in the disordered church system of those throbbing times. It is a great merit of the work that its eye is single for the facts and that the exposition proceeds without any mixture of polemic view, without any heat of praise or blame. The author's complete knowledge and comprehending sympathy enable him to hold and convey a discriminating and temperate view of many matters, like the condition of the mendicant orders, popular notions as to which have been formed on *ex parte* and satirical accounts. Nevertheless the whole narrative yields to the reader the argument which we call the logic of events. We see the irresistible movement of English life to a reform of intolerable conditions, to the ideals of Colet and More and to the drastic measures of Henry VIII. The book is of special value to the student of church history who knows in too isolated fashion the Statutes of Provisors and *Praemunire* and the story of Wycliffe and the Lollards. Capes furnishes the ample and definite detail which is the setting of these episodes in a long prelude of preparation for the sixteenth century crisis. Particular gratitude is due for the delightful and intimate acquaintance afforded with the influence of the church on social life and its incidence upon the ordinary life of the laity. The justice and accuracy of this excellent



book leave little occasion for dissent but the author is apparently in error in failing to credit high intellectual aims to the founder of the Dominican order and he is surely misled by Walsingham in attributing to the rioting peasants of Wycliffe's time a fanatic love of illiteracy.

It may be noted that all these volumes pay attention to the architectural development, but in terms too technical for most readers.

FRANCIS A. CHRISTIE.

*The Moriscos of Spain: Their Conversion and Expulsion.* By HENRY CHARLES LEA, LL.D. (Philadelphia: Lea Brothers and Co. 1901. Pp. xii, 463.)

MR. LEA has done well to make the history of the baptized Moors, the Moriscos, the subject of a separate book. For the first time this episode, full of dramatic situations and richly illustrative of the Spanish character and governmental methods of the time, is here clearly set forth in English in all its aspects. The task of the historian is to show how it came about that the Spanish government finally resolved on the expulsion of the Moors—perhaps the unwise thing that Spain ever did. In the early days of the struggle between the Spaniards and the Moslems toleration was the rule in the Peninsula. The Arab conquerors were lenient toward the Christians, allowing them the free exercise of their religion and a certain measure of self-government on condition of the payment of tribute and obedience to the civil authorities. As time went on Christians and Moors were mingled over a great part of the land, and the relations of the growing Christian states of the north with their Moslem neighbors were controlled by political considerations without regard to the difference of religious faith. In the same army were often found contingents from both peoples; the Cid fought indifferently on either side; in some places under Christian control the Moors formed a considerable part of the population. As early as the thirteenth century, however, this state of things began to be looked on with suspicion. The ecclesiastical authorities could not view with calmness the spectacle of a population of heathen in the midst of a Christian community—their presence, it was felt, was a contamination and a menace—it was resolved that they must be Christianized or expelled. This resolution took definite shape soon after the conquest of Granada in 1492, and culminated in the final expulsion of the Moors in 1614. How the antagonism of races was supplemented by constantly growing religious fanaticism—how violated promises drove the Moors to desperation—how the situation became so complicated that Spanish statesmanship could see no remedy but expulsion—this is what Mr. Lea undertakes to set forth. In a series of chapters he describes the condition of the Moors at the end of the fifteenth century, the attempts at their conversion by royal edicts and missionaries, the policy and methods of the Inquisition, the frightful oppres-

sion to which the Moors, baptized and unbaptized, were subjected, the attitude of the nobles, the kings, the priests and the popes, and finally the decree of expulsion and the fortunes of the exiles. His materials have been drawn partly from the published researches of Spanish scholars, partly from unedited sources in Spanish archives, and partly from his own large collection relating to the Inquisition. He is thus able to give a substantially complete history of the course of events; and it need not be said that he writes calmly and in a spirit of fairness.

It is not easy for a writer of the present day to form an unbiased opinion of the Spanish Inquisition; after one has recognized the universal intolerance of the age and the special element of race-antagonism in Spain, it is still difficult to draw the line between religion and revenge, greed and godliness, statecraft and selfish ambition. This delicate distinction Mr. Lea has succeeded reasonably well in making. He does justice to the apostolic love and wisdom of such men as Talavera, to the genuine desire of certain priests and popes to instruct the Moors in the Christian faith, and to the efforts of nobles and sovereigns to secure to them their rights. He sees the seriousness of the problem as it presented itself to the government in the sixteenth century. On the other hand he exposes the avarice, ignorance and cruelty that so largely controlled the policies of State and Church, and dwells on the amazing economic blindness that deprived Spain of what was in some respects the best part of her population. He gives a vivid picture of the industrial importance of the Moors: most of the great industries were in their hands—the Spaniards devoted themselves preferably to war, politics and the church. The number of priests was enormous, and many of them were far from contributing to the peace and progress of society; the Inquisition, an imperium in imperio, was a terror. Such a society contained the seeds of its own decay; Mr. Lea dates the beginning of the decadence of Spain from the expulsion of the Moors. It is not a part of his purpose in this book to discuss the question of Spain's downfall; such an inquiry would have taken him back to the Visigothic period, in which are found certain of the traits that are prominent in the fifteenth and sixteenth centuries. One would, however, like to see, as a supplement to Mr. Lea's admirable narrative, a fuller account of the development of that religious bigotry which played so large a part in the final catastrophe. It may be noted, in passing, that the Spanish policy affords a certain justification for the spoliations of the Barbary corsairs. Mr. Lea's characterizations of prominent persons are well-considered and often felicitous; we may refer especially to his paragraphs on Ximenes and Philip II. His judgments of the books of the time are generally calm; he is roused to a not unnatural indignation in speaking of Bleda's *Defensio Fidei* which urged the massacre of the Moors as the most pious and effective way of dealing with the social problem. Mr. Lea's volume is a welcome contribution to our knowledge of the time treated of, and suggests general principles of government that are applicable to the present time.

C. H. Toy.

*Huldreich Zwingli, the Reformer of German Switzerland.* By SAMUEL MACAULEY JACKSON. [Heroes of the Reformation Series.] New York: G. P. Putnam's Sons. 1901. Pp. xxvi, 519.)

*Selected Works of Huldreich Zwingli.* Edited by SAMUEL MACAULEY JACKSON. (Philadelphia: University of Pennsylvania. 1901. Pp. 258.)

IN these two volumes Professor Jackson has made a noteworthy contribution to the material readily available for the study of the Swiss Reformation: a contribution the more to be welcomed from the fact that it does not merely consist of the conclusions of a single investigator, however scholarly and well-informed, but affords as well a large and comprehensive group of documents, bearing upon the life and work of Huldreich Zwingli, bringing the reader into a closer and more sympathetic contact with Swiss affairs, and enabling him in many particulars to corroborate or criticise the conclusions of the author and editor. As a brief and relatively complete presentation of the facts in the life of the Swiss reformer, Professor Jackson's books are much to be commended, and may well serve as a guide for future makers of books of a similarly popular but substantial character. Such books go far toward satisfying the demands of the student of general history, and it is to be hoped that the omnivorous reading public has already so far yielded to the fascination of original documents, that these have come to be, in literary matters, an indispensable addition to a suitable bill of fare.

Another feature of the book which merits attention is the excellent introduction by Professor Vincent. It may not be unusual to preface a biography with a general description of the subject's environment; but it was a particularly happy thought to select for this collaboration a scholar whose attention has been so largely centered upon this field. Nor is the result otherwise than was to be expected. The "Historical Survey of Switzerland at the Beginning of the Sixteenth Century" is an admirable piece of condensation. It brings the reader into close relation with German life in that evasive period, the chief difficulty of which seems to be that it is made up of the ends and the beginnings of two abutting epochs. The introduction gives assurance of a wide and thorough knowledge of the subject, even with the results condensed into a half century of pages, and clears the way for the entrance of the hero.

Of the 800 pages which the two volumes contain, not less than half is devoted to the presentation of source material, of which one hundred pages are appended to the biography itself. The biography covers more than three hundred pages. It is written with fairness and with a knowledge of the facts, and will be read with interest and profit. For the general reader the biography will no doubt be the best esteemed portion of Professor Jackson's present work; but for the student, for whom Zwingli has become something more than a name, it will be less important. This is due to no intrinsic fault in the biography itself, but to the fact that the original documents are so well selected and prepared.

With the possible exception of Professor Emerton's *Erasmus*, the *Zwingli* is altogether the best biography the series has yet produced. Other contributors have labored, it may be, with the difficulty of finding new spots of fertility in fields of ancient tillage. In the case of the *Erasmus*, the author's necessity of forcing his "Hero" to pose with his least attractive side toward the audience was confessedly a limitation.

Professor Jackson's personal estimate of Zwingli, given in the preface, is of interest as giving evidence of the spirit with which the writer has undertaken his task. He says: "Whether he was right in his theology the author does not here discuss; nor is he at all concerned to expound and defend his distinctive teachings. But he believes that if the four great continental reformers, Luther, Melancthon, Zwingli and Calvin, should appear to-day, the one among them who would have to do least to adapt himself to our modern way of thought . . . would be Huldreich Zwingli."

The doctrinal side of Zwingli's work is, however, not neglected. In a supplementary chapter Professor Foster has contributed a discussion of Zwingli's theology, philosophy and ethics. Here the average reader, whose education in the technique of theology has been, for some unpardonable reason, neglected, may find himself in no small danger of losing his foothold. He will be surprised as well to note the meager attention given to Zwingli's characteristic view of the eucharist, a view which, from the fact that in the course of time it has come to gain ground against the attempts of Luther and Calvin to find a resting place between the dictum of the church and the exigencies of literal interpretation, serves more than any other part of Zwingli's theology to justify Professor Jackson's conclusions as to the modernism of the Zwinglian spirit.

Turning to the selections from Zwingli's works, which make up a considerable part of *Zwingli* and the whole of the *Selections*, the student will be pleased to find a translation in full of Zwingli's refutation of the doctrines and practice of the Katabaptists. He will here be enabled to pursue his inquiries, although not, it is true, under sympathetic guidance, into the nature of that peculiar product of the spiritual revolt of the fifteenth century, which, in its various phases, drew down upon itself from the reformers a measure of bitterness, beside which the mutual antagonism of Catholic and Protestant seems mild indeed.

The entire series of the "Heroes of the Reformation" has shown, so far, evidences of care and good taste in those external particulars which go to the making of attractive and legible books. The illustrations have been selected from contemporaneous material, in accordance with a generally accepted canon of historical publication. The author of *Zwingli* has departed more widely than his predecessors from this rule by introducing photographic views of buildings and other objects associated with Zwingli's career. The experiment is not wholly successful. The unity of the book is marred with the intrusion of gas-lamps and tram-cars and other untimely objects in the foreground of the pictures. In the case of a book constructed with less harmony of details, this fault might pass unnoticed.

MERRICK WHITCOMB.

*Jean Calvin : les Hommes et les Choses de son Temps.* Par E. DOUMERGUE, Professeur à la Faculté de Théologie de Montauban. Tome I., La Jeunesse de Calvin. (Lausanne : Georges Bridel et Cie. 1899. Pp. ix, 634.)

WHEN a biography is prepared, two conditions should be fulfilled, if we are to have a definitive work which will be considered an authority in the great trial in which writers undertake to bring to the bar of history those who have helped to make history. In the first place whoever the man may be whose life is under investigation, at least the greater part of the documents ought to be attainable by the reader; and secondly, the investigation ought to be carried on in a country and at a time in which one can be free from prejudice of any sort, in order that the work may be done with the calm impartiality which lapse of time alone can bring.

The first of these conditions is undoubtedly realized in the case of Calvin. The fullest evidence that any biographer could desire is contained in the edition, now complete, of the *Opera Calvini* composed of nearly sixty volumes, more than ten of which contain letters, prolegomena and annals, and in the standard publication enriched with notes, references and appendices, *Correspondance des Réformateurs en pays de langue française*, which the late A.-L. Herminjard gathered and gave out as far back as 1545. Moreover the author of *Jean Calvin : les Hommes et les Choses de son Temps* is fully qualified to appreciate the usefulness of such material. Unfortunately it is impossible to take a view equally favorable of the second condition, the surroundings in which the biographer is placed in the preparation of his work. Intellectual France is to-day more than ever divided into two camps, if not by the very name of Calvin at least by the struggle against Rome; and the splendid volume which I have undertaken to review for the readers of the AMERICAN HISTORICAL REVIEW and which is the work of one of the most eminent and popular of the French Protestants, Professor Doumergue of the theological faculty of Montauban, had to be published not in Paris, the only center of the French book trade, but at Lausanne, in a country of refuge for Huguenots. Here is a characteristic fact which must not be lost sight of, if we wish to understand the book, and to judge it ourselves in all fairness.

M. Doumergue has entered upon his task with the noble ambition of giving us, not only the definitive biography of Calvin, but an exhaustive study of the men and institutions of Calvin's times. I must, with reference to this matter, quote his text *in extenso*, since this conception of his work, or rather the particular method of work which he has evolved from it, is the ground of the severest criticism so far made upon his book.

"Un homme ne vit, de toute sa vie, par conséquent de sa vraie vie, que plongé dans son milieu social, comme le poisson ne vit que dans l'eau, et l'oiseau dans l'air. Or précisément mon but est de reconstituer la vie si ignorée, si méconnue, si dénaturée de Calvin, de ce Calvin qu'on déclare être une abstraction faite homme. Pour constater sa vie, pour la sentir dans son exacte réalité, en même temps que pour la comprendre et la juger dans sa vérité vraie, j'ai pensé qu'il fallait, autant que possible,

la vivre à mon tour, et essayer de la faire vivre à mes lecteurs, c'est-à-dire la replacer et nous replacer nous-mêmes dans son milieu, dans les milieux successifs où elle s'est formée et développée. Anciennes gravures, vieux plans, quartiers de villes, maisons encore debout depuis des siècles, portraits des hommes, amis ou ennemis, qu'il prit pour maîtres ou qu'il combattit avec ardeur, autographes où se révèlent tant de sentiments, vieux livres restés intacts depuis le jour où ils sont sortis de la rue St. Jacques ou de Genève, j'allais dire : air que respiraient les habitants de l'Université de Paris, ou les étudiants de Bourges, d'Orléans, tout cela fait un tout indivisible ; tout cela, ensemble et non séparé, constitue la vie des esprits, la vie des cœurs, presque des corps et des choses au temps de Calvin, la vie de Calvin." (p. viii.)

This plan is excellent, and no historian will object to it, provided it is carried out with Calvin-like sobriety in its development, with simple austerity of method. The vastness and the complexity of the subject make such qualities indispensable.

M. Doumergue divides his first volume into five books devoted respectively to the family, the years of study, the conversion, the journeys in France, and finally the flight of the future reformer of Geneva up to the time of the publication of the *Institutio Christiana* at Bâle in 1536. In the course of this biography, in obedience to the plan which he has marked out for himself, the writer describes in turn Noyon, Orléans, Bourges, Paris, Angoulême, Nérac, Poitiers, Bâle, with their institutions, their buildings, and their inhabitants as they appeared in the sixteenth century; all with a wealth of detail, with many references and illustrations denoting a vast erudition both of the scholar and the artist. The Professor of Montauban is quite as clever a writer as he is a speaker ; while he is an orator of first rank he also writes very well and his book, voluminous as it is, is one of those which we read without counting the passing hours.

Unfortunately Professor Doumergue is working in the midst of a struggle in which he is one of the most resolute champions and, under such circumstances, it may be expected that the orator will at times dominate the historian in his work as a biographer. Fluency is a desirable quality in an orator ; it is not always so in the writer of a biography. The desire of being absolutely complete, of utilizing all the results of his research often induces M. Doumergue to be, so to speak, too complete. His volume on Calvin's youth is naturally limited by the dates 1509 and 1536. His references, however, in their notices of men and occurrences, cover the history of nearly the whole of the sixteenth century, events being mentioned which took place even after the death of Calvin. For instance the chapter on Protestant Paris leads us to the massacre of St. Bartholomew and has as a sub-heading the dates 1509-1572. M. Rodolphe Reuss, a competent critic, called the author's attention to the fact, that if he wished to preserve in the rest of his work the proportions thus given to the beginning, he would require for the years of Calvin's creative activity, not four more volumes, as he expects, but about ten.<sup>1</sup>

<sup>1</sup> "Une nouvelle biographie de Calvin," *Bulletin historique et littéraire de la Société de l'Histoire du Protestantisme français*, XI.VIII, 541, et seq.

This superabundance of detail evidently threatens the artistic and literary balance of the whole. This defect is all the more serious because it is also of a scientific character. It obliges the author to describe too often in anticipation, and in some secondary parts of his work to accept facts and use terms which he will be forced to give up later, when, in pursuing the study of his main subject, he shall have reached that epoch which he has treated provisionally, so to speak, in reliance on secondary evidence, and when he shall have come to know more thoroughly the details of that particular period. More than one instance of such inaccuracy of detail might be given, to which this method of work exposes the author. The space at my disposal will allow me to cite only the following example. At the end of the interesting pages which he devotes to Mathurin Cordier, the Rollin of the sixteenth century, who was the revered master of Calvin and died a humble teacher of the fifth class in the college of Geneva, we read the following lines:

"Il fit une dernière fois sa classe. Trois jours après, il plut à Dieu 'de l'appeler de ce monde et l'alloger en repos qu'il a préparé à tous ses fidèles' [Calvin had died scarcely four months before] et l'on écrivit sur les registres de la Vénérable Compagnie: 'Le Vendredi 28 Sept. 1564, mourut le bon homme Corderius, en grand âge, heureusement et ayant servi jusques à la fin, en sa vocation d'enseigner les enfants et conduire la jeunesse, en toute sincérité, simplicité et diligence, selon la mesure qu'il avait reçue du Seigneur.'" (p. 68.)

With the exception of the date "28 Sept.," which is a misprint for "8 Sept.," the text, copied from the archives of the *Compagnie des Pasteurs* by Bétant, is here given correctly, but the expression: "on écrivit sur les registres de la Vénérable Compagnie" is not correct, properly speaking. When he turns his attention more especially to Geneva and the year in which Calvin died, Professor Doumergue will be convinced that it is better not to mention, when speaking of that time, either *registres* or *Vénérable Compagnie*. One of the ministers—in 1564 it was Nicolas Colladon—used to jot down at random the events and discussions which he thought worthy of being remembered. These scattered notes were later gathered together, forming at first a kind of *livre de raison*, then much later a *registre* of proceedings. As to the title *Vénérable Compagnie*, it appears as such only in the seventeenth century.

Professor Doumergue refutes, one by one, all the inaccuracies and the slanders, great as well as small, which have passed current among some writers concerning the youth of his hero, and he has performed his work in such a way that henceforth only ignorance or unfairness can explain a repetition of them. On this subject, as on many others, he profits by the fine work of M. Abel Lefranc, the learned secretary of the Collège de France<sup>1</sup>; one may add that he completes it. But he is not satisfied with that. M. Lefranc showed by excellent proof that Calvin's character, at the time he considers him, is not at all such as people had believed. He reveals to us a Calvin altogether too much forgotten, who was affec-

<sup>1</sup> *La Jeunesse de Calvin*, Paris, 1888.

tionate, refined, beloved by everyone, sought after, and charming all who came in contact with him. M. Doumergue claims that this Calvin is not only the Calvin of twenty, but also, and without variation, the Calvin of mature years, and when M. Lefranc states that Calvin in 1532 allows himself to fall into a fit of ill humor, using the words "*s'aigrit*," the Professor of Montauban reproaches him for not having understood the "*susceptibilité affectueuse*" of such a character, for not having entirely freed himself from the prejudices of legend (p. 200).

To make Calvin better known—declares M. Doumergue at the end of his preface—will result in increasing, not only the respect but also the sympathy we must feel for a great man and a great believer. I fear that if he is bent upon putting the accent on "sympathy," the cause of truth which he wishes to help by his book will not allow him to accomplish his task. When he shall have travelled over the whole course of Calvin's happy years of youth and health and when he shall have recalled the gloomy and great epoch when a church and a republic were arising in the fiery furnace, forged, as Michelet says, on the rock of predestination, then he will find no longer on his way the smiling and beloved countenance. His hero will grow strangely. He will command, I am sure, universal respect, but the historians who have studied him most closely have not brought back from their study, a sympathetic feeling as far as his person is concerned. They could no longer feel his heart beat. M. Doumergue appeals from an almost unanimous judgment. Before deciding definitely, it is just to wait for his own account of facts, but we must wish in the interests of historical truth that he will pay more attention to investigating than to pleading the case.

In spite of the objections which the work provokes and of the criticisms that must be made, the latest biography of Calvin is certainly an epoch-making book. I have given only a poor idea of its contents; the appendices alone—fifteen learned studies devoted to the discussion of special questions, and of which I have not been able to speak—would deserve the whole space allotted to this article. One may say that this work is a treasury of scholarly interest which should be found on the shelves of every library; and a part of the honor of bringing out such a book must redound to the credit of the country where it was published and to the credit of the publishers, MM. Georges Bridel et Cie, who have made every sacrifice to make it a masterpiece of typographic art. All the capital letters of the headings of chapters are facsimile reproductions of those of Robert Estienne; another volume will reproduce the letters of Badius; a third, those of Gérard. The tail-pieces are formed from the typographic marks or emblems of the great Huguenot printers. In every respect this book is a monument. It will certainly produce other works; and if it raises contradiction now and then, any criticism must needs be full of respect for the sincere, painstaking, and powerful work of the author.

CHARLES BORGEAUD.



*The Love of an Uncrowned Queen* (Sophie Dorothea, consort of George I., and her correspondence with Philip Christopher Count Königsmarck, now first published from the originals). By W. H. WILKINS, M.A. (Chicago and New York: Herbert S. Stone and Co. 1901. Pp. x, 578.)

THE author deals with a mystery that has aroused interest in each successive generation since 1694 and that the smooth narrative before us would appear to have solved—if only the author's statements could be believed. But there are serious charges to be brought against Mr. Wilkins's book in spite of the fact that it shows much labor and ingenuity, that the author is a fellow of the Royal Historical Society, and that he claims to have brought forward new and conclusive evidence. Firstly the use of the literature has been incomplete and the most important work that has yet appeared, Horric de Beaucaire's *Mésalliance dans la Maison de Brunswick* (Paris 1884), has been overlooked, as have also the publications from the Prussian archives containing letters to and from the Electress Sophia. Secondly the use of authorities has been uncritical to the last degree; for instance among the works cited are Köcher's essays on the *Prinzessin von Ahlden* which appeared in the *Historische Zeitschrift*, Vol. 48. Now if there is one episode on which Köcher has dwelt with peculiar emphasis it is that of the supposed visit of the Electress Sophia to the court of Celle to ask for the hand of Sophie Dorothea for the Electoral Prince. Köcher shows that the whole incident is a figment of the imagination of Duke Anthony Ulrich of Wolfenbüttel whose choice of the doings at Hanover for the theme of the sixth volume of his novel, *Die Römische Octavia*, is responsible for the erroneous views of later historians. Without an attempt to refute Köcher, Wilkins adopts the whole dramatic narrative of the visit; in another connection, and also without giving his reasons, he calls Anthony Ulrich's romance "a fairly true version of the princess's story" while acknowledging that its form tells against accuracy. As a matter of fact letters of Anthony Ulrich published by Beaucaire in the appendix of his work show that, at the time at least of the arrest of the princess and the disappearance of Königsmarck, the duke was kept as much in the dark as was the rest of the wondering world.

The bulk of Wilkins's book is made up of a supposed correspondence between Königsmarck and Sophie Dorothea; the letters are preserved in the University of Lund and their ownership can be traced back through several generations to a relative of Count Königsmarck. Schaumann, the first critical writer on this whole subject, and Köcher, who has published all the available material from the Hanoverian archives, as well as Horric de Beaucaire, condemn the correspondence as utterly spurious; Wilkins disposes of Schaumann and Köcher by the simple declaration that they have never seen the originals—but Beaucaire has seen them and is as unhesitating as the other two. He has compared the handwriting with that of genuine letters of the two persons concerned and finds no

resemblance. And indeed had these letters ever actually passed between a nobleman and the wife of the Prince in whose army he was serving, what in the world would have induced the guilty pair to preserve them, to deposit them, as Wilkins surmises, "at stated periods, probably at the end of every six months," in the hands of the infamous Aurora Königs-marck? They are of no importance to history save as proving that the connection of the two was highly improper. Would a princess be likely to hand over to a third party letters to herself so indecent that Wilkins has had to expurgate them?

The strongest point brought forward by Wilkins is that the despatches of Sir William Dutton Colt, British envoy from 1689 to 1693, now produced for the first time, corroborate the correspondence in certain ways: "if it can be proved," he writes, "by independent testimony and 'undesigned coincidences' (as Paley would say) that the mention of persons are accurate and the allusions to even minute events correct in every detail, it affords the strongest possible proof of the genuineness and authenticity of the letters." But the "minute events" as given in Wilkins's extracts from Colt prove to be almost wholly the coming of this or that person to this or that place at such and such a time. Now mark what a powerful weapon is placed in the hands of an editor who would like to have these two accounts agree. Wilkins says himself that throughout the correspondence an elaborate cypher or rather series of cyphers has been used for the names of persons and places and that the task of unravelling has been so difficult he must ask for indulgence if errors have crept in—furthermore that only four out of 200 letters are dated and that he has been obliged to sort them so as "to allow them to answer one another in due order." With such power over names and dates almost any two texts could be made to conform!

Perhaps the caliber of Wilkins's book can best be judged from the following passages occurring in a chapter on the "History and Authenticity of the Letters," which as a note implies can be skipped by the ordinary reader as it "does not affect the narrative": "Two centuries have gone; the lovers are dead; the hands that penned these burning words, the eyes that wept, the hearts that throbbed as they were written have crumbled into dust. But their witness is here—here in these old and faded pages, which breathe even now, faint as the scent of dead rose leaves, the perfume of their passion."

ERNEST F. HENDERSON.

*L'Œuvre Sociale de la Révolution Française.* Introduction par M. ÉMILE FAGUET. (Paris: Librairie A. Fontemoing. Pp. 460.)

THIS volume of essays upon the social changes brought about by the French Revolution should contribute not a little towards a better appreciation of the great non-political revolution which is so commonly obscured by the dramatic political history of the time. It is not always made clear that the deep and permanent change which trans-

formed the society of feudal France into that of the France of to-day was the real French Revolution, in which the Terror, the Directorate and the Empire were but passing incidents. The volume under review traces in a series of short clear summaries how the change came about, and how it affected the common people, the clergy, the army, and the soil of France. The summaries, while popular in style, are by specialists, to whose larger works the reader is referred for fuller treatment from this point of view. M. Faguet's introduction "Sur les Idées maitresses de la Révolution française" gives unity to the volume by showing how the various Revolutionary principles were at bottom but different phases of one dominating idea, that of equality. Liberty, as understood at the beginning of the Revolution, meant rather the suppression of privilege in society than the overthrow of monarchy, and as fraternity is only "equality considered as a sentiment or passion," the famous motto of the Revolution may be reduced to its first term. In application we see this idea of equality at the basis of every reform. Common and free education is demanded that the qualifications of wealth may be neutralized. To make "equality before the law" a reality, the advantages of wealth itself must be more equally distributed, and, in the redistribution of property which resulted, the Revolution was unconsciously verging towards socialistic ground. The new bourgeois already satisfied with the profits of the equalizing process checked this tendency when it came to light in Babeuf. M. Faguet in his attempt to emphasize the main source of the Revolutionary ideas has perhaps overstated his case, but his treatment is thoughtful and suggestive. He closes however with applications to the present conditions in France, which are dragged in somewhat unnecessarily and obscure the general plan of the book in an unfortunate manner.

The question how far this idea of equality was consciously worked out in the Revolution is discussed in the second essay by M. Lichtenberger on "Le socialisme et la Révolution française," which is an admirable study of the various attacks upon the property of the privileged orders. It was the exigencies of the hour that brought the general overturn rather than philosophic theories, and the point is well made that it was the very paternalism of the old régime, with its minute interference in private affairs, which afforded the precedent for the confiscation of property when the owners refused their service to the state. The Revolution was in no way socialistic in principle.

The third essay, "Les Doctrines de l'Éducation révolutionnaire," by Maurice Wolff discusses at considerable length the genesis of the public school system in France with special elaboration of the work of Condorcet. The treatment of the subject is somewhat detailed and will be of more interest to French readers than to foreigners unless conversant with the present system in France.

M. Sagnac's contribution on "La propriété foncière et les paysans pendant la Révolution," is a good survey of a most intricate subject. Passing hurriedly over the conditions to 1789 the author reviews the work of the Constituent and Legislative Assemblies in a masterly fashion. The

"brigands" are explained in a word; the pressure of the nation on a vacillating legislature which slowly yielded, point by point, is well brought out. After an analysis of the *maximum*, and the prohibition of export under the new system, the essay closes with a short résumé.

The fourth essay in the book "*La Révolution et le clergé catholique*," by M. L. Cahen is quite as satisfactory as the third, and following the same plan gives a succinct account of the action of the lower clergy from the elections of 1789 throughout the Revolution, bringing out clearly as well the influence of the civil constitution upon the fall of the monarchy and the disaffection that brought the Terror. M. Cahen has the gift of epigram and his statements must sometimes be taken with reserve, but his study is a valuable summary of a phase of the Revolution the importance of which is not always understood.

M. Levy Schneider closes the series by a similar account of the changes which the Revolution caused in the army. The application of republican principles there, causing the demoralization of the army of the old régime and the inefficiency of the central government, leading to obedience to local authorities, are sketched hurriedly, and the main interest is centered upon the work of the Convention. The situation during the Terror and the effect of the 9th of Thermidor are well described.

Altogether the collection, while perhaps not always convincing, is a most welcome contribution to the literature of the Revolution, both for its point of view, and its clearness in presentation. It is to be regretted, however, that M. Faguet did not at the beginning more clearly define the field covered by the book and make clear its significance, instead of somewhat obscuring the subject by applications that link it to the politics of the present.

JAMES T. SHOTWELL.

*Geschichte Europas seit den Verträgen von 1815 bis zum Frankfurter Frieden von 1871.* Von ALFRED STERN. Dritter Band. (Berlin: Wilhelm Hertz. 1901. Pp. xii, 419.)

It is four years since the second volume of Dr. Stern's history of Europe appeared and now the third volume, carrying the narrative to 1830, has come to hand. Thus at intervals of from three to four years the author is presenting the results of his researches, gradually increasing the number of volumes of a history that for many years is bound to be the most authoritative work upon the subject. He seems to have mapped out his plan on the basis of five year periods, and if the present rate of progress is maintained and the five year periods adhered to, the entire work will be finished in about thirty years, a long time, indeed, for any scholar to count on for continuous and uninterrupted labor. When completed the work will stand as the only history of the nineteenth century based strictly on original investigation and will seem to furnish an answer in part at least to the despairing cry of Seignobos and Alison Phillips that "a hundred lives of mortal men," to use the expression of the last-

named, "would not suffice for the collation and comparison of the stupendous mass of documents." Dr. Stern is giving to the world a scientific history and there is no special reason to believe that the facts here presented will need to be seriously altered as the result of a further and fuller examination of the archives. That such examination will continually add new evidence and will modify in many particulars statements here made is inevitable, but even such an eventuality does not preclude the writing of a scientific history at the present time, unless the rigid canons laid down by Seignobos in *Introduction aux Études Historiques* are to be adhered to as furnishing the only possible definition of scientific history. The latter has stated that it is "materially impossible to write a contemporaneous history of Europe in conformity with the scientific method" (Preface to *Histoire Politique de l'Europe Contemporaine*). If by that he means that no statement must be made "sans une note qui en fasse connaître l'origine précise et permette d'apprécier la valeur des documents d'où elle sort"<sup>1</sup> then he is probably right and no man should presume to deal with any subject that he cannot cover in this searching fashion. Aulard's *Histoire Politique de la Révolution Française*, which is M. Seignobos's ideal history, would seem then to represent the limit of human endeavor and, having occupied M. Aulard for fifteen years, to show the futility of attempting to write critically a general history of any kind. Such criticism is, however, unjust and as coming from one who has been a compiler and text-book writer the greater part of his life and has not produced himself any important original work of a scientific character cannot be credited as having great practical value. The faculty of writing impartially and objectively, of selecting approved documentary evidence, and of using critically the work of others, in any field, large or small, is as important a part of scientific historical writing as is the criticism of the documents themselves. In this sense the work of Stern is as scientific as that of Aulard.

Dr. Stern begins his account with a description of the internal condition of Russia under Alexander I. This is significant in that the only serious criticism that has been brought against this work has concerned its neglect of internal history and the undue prominence given to minor details of foreign relations. In this respect the volume before us shows marked improvement and the internal affairs of Russia, England and France are here discussed as they ought to be without regard to their bearing on the foreign policy. Dr. Stern's description of Russia is of interest to the student not only of history but of economic development also. The author shows that an independent bourgeois and capitalist class was at the very beginning of its formation, that city life, in the modern sense, hardly existed at all, that industry was in the domestic stage and agriculture everywhere the dominant interest. He shows that the administrative system was more highly centralized than to-day and more corrupt, that the land-owning classes were supreme and the peas-

<sup>1</sup> From Seignobos's review of Aulard in *Revue Universitaire*, May 15, 1901.

ants unfree, and that in manufactures and commerce the country was wholly dependent on the outside world. From this stage in her economic history we know that Russia is to-day emerging, and that an industrial revolution is making her independent of her neighbors in industry as well as in agriculture and even threatening the autocratic system itself. The demand for a constitution, which has been made twice already, is bound to be made again, and the student who wishes to understand why this is likely and to know the full significance of the work that M. Witte is attempting to accomplish is recommended to read the first eighty-one pages of this book.

From the internal history of Russia, Dr. Stern passes to her external policy and plunges at once into the complications of the Greek war of independence. To our knowledge of the diplomacy of this period he has been able to make noteworthy additions, and there is scarcely a phase of the negotiations among the powers that he has not enlarged upon and illumined. With the single exception of Fédor von Demelitsch (*Metternich und seine Auswärtige Politik*, Vol. I., 1898), there is no writer that has hitherto attempted to study, in its entirety, the policy of Metternich, or to draw his information from other sources than those of a single state. Demelitsch has not yet, however, reached the period that we are examining, so that Stern's account of the negotiations leading to the overthrow of the Holy Alliance and the signing of the treaty of London is the first adequate analysis that has yet been made of Metternich's many and vain attempts to recover his influence, either by mediation, armed interference, a quadruple alliance of Austria, England, Prussia and France, a congress, or, after the treaty of Adrianople, by the revival of the Holy Alliance. Scarcely a word of this secret diplomatic campaign will be found in any of the more accessible histories by Flathe, Bulle, Fyffe, Debidour, or latest of all, Alison Phillips. As Demelitsch continually throws discredit on Metternich's *Memoirs*, wherever he has occasion to test them, so Stern has shown that Metternich deliberately deceived the Russian ambassador, who had charged him with this diplomatic scheming, when he declared in a well-known interview that such assertions were false and such errors were insulting (*Memoirs*, IV. Sect. 941). Dr. Stern has been equally successful in throwing light upon the history of the Carlist and Miguelist movements in Spain and Portugal, though no such far-reaching errors have been corrected as was the case in the second volume. For an example of the thoroughness with which Dr. Stern works and for an excellent instance of the documentary evidence that lies behind his conclusions the reader should turn to his article in the *Historische Vierteljahrschrift* (1900, Heft I. pp. 49-77), "Der 'Grosse Plan' Polignacs," the thirty pages of which are in the volume before us compressed into a page and a half and all references to the sources omitted.

I have no space here to discuss the author's treatment of the other countries whose history he has written. After bringing his narrative of foreign affairs to the year 1830, he turns to the internal history of Prus-

sia and the lesser German states, then to Spain and Portugal, then to England, where he follows events through the agitation for Catholic emancipation, Irish reforms, and the beginnings of agitation for electoral reform, to the death of George IV. and the close of the Parliamentary session of 1830, and finally to France through the reign of Charles X. to the signing of the ordinances of July. In the latter instance, notwithstanding the elaborate work done by Viel-Castel, Nettement and Duvergier de Hauranne, Stern has been able to correct many errors and to fill out many accounts with the aid of memoirs unknown to these writers, of documents from the Paris and London archives, and especially of the reports of Apponyi preserved in the archives of Vienna. An excellent instance of the value of this new material may be found in connection with the Algerian undertaking on page 376.

One word in conclusion may be said regarding what will be deemed the most important aspect, scientifically speaking, of this work. All other writers, who have discussed the diplomacy of the European governments during this period, such as Beer for Austria, Viel-Castel for France, Ringhoffer for Prussia, have studied the documents of their own particular states and have presented the subject from a peculiarly national point of view. Stern, on the other hand, like Demelitsch, has limited himself to the documents of no particular government. He has gathered his material from the archives of London, Vienna, Paris, Berlin, Frankfort-on-the-Main, and the Hague, and has made use of Martens's collection of treaties from the archives of the Russian Foreign Office. Thus his vantage-point is always European not national, and he never becomes a special pleader for the diplomacy of any special government or group of statesmen, as is, for example, Ringhoffer in his recent work on Prussia's foreign policy from 1820 to 1830. Perhaps most interesting of all is the fact that Dr. Stern has been allowed access, at last, to the masses of documents in the Public Record Office, London, the use of which was denied to Fyffe by Lord Granville, when the former was writing his history in the decade from 1880 to 1890. The permission thus accorded is to be extended to such documents as Dr. Stern may need for his next volume, which will carry the subject presumably to the year 1835.

CHARLES M. ANDREWS.

*Essai d'une Psychologie politique du Peuple Anglais au XIX<sup>e</sup> Siècle,*  
Par ÉMILE BOUTMY. (Paris : Armand Colin. 1901. Pp. viii,  
456.)

ADMIRERS of M. Boutmy will be disappointed in this work, for although there is much in it that is interesting, the theme is, on the whole less well thought out, and the argument is less cogent, than in his other books. There is, moreover, some tendency to exaggeration, or at least to the laying of undue stress on certain traits of national character.

The book is divided into five parts. The first of these is an attempt to explain the mental and moral characteristics of the English by the



climate of their country and the products of its soil. The dampness and darkness of the weather, as the author tells us, necessitate hard work for the preservation of life while the absence of extremes of temperature, and the richness of the soil in agricultural and mineral wealth, render labor exceedingly productive; the result being a great development of energy, foresight and self-control. In fact, activity and self-restraint are, in his opinion, the most marked elements in the British character. On the other hand, the heavy moist air causes a lack of sensibility; and the dull, misty prospect, the want of a clear, luminous atmosphere, deprives the Englishman of the sharp impressions, and consequently of the lively imagination of people of more southern climes. The mind is turned inward to brood upon itself and contemplate the moral relations of things, rather than the beauties of nature. Moreover the habit of constant activity interferes with the uninterrupted state of contemplation which is needed to evolve generalizations, and hence the English dislike and distrust abstract ideas, and have a limited capacity for producing them. The author proceeds to illustrate these mental and moral attributes of Englishmen from their language, literature, art, philosophy, science and religion.

An attempt to compass a theory of such magnitude in the few words of a short review must, of course, be unjust to the author; yet it may be that enough has been said to indicate the direction of his thought.

The second Part of the book deals with the races of which the population of the British Isles is composed. It begins with the Germanic tribes, and here M. Boutmy is struck, and, in fact, astounded, by finding more or less transformed, in contemporary English civilization, each of the traits depicted by Tacitus. But, if so, what becomes of his theory that those traits are due to the physical peculiarities of the British Isles? And, in passing, the comment may be made that if the mental and moral character of the English results from a damp climate, an even temperature, and a productive soil, one of the greatest race contrasts which this world can present ought in time to be found between the inhabitants of Old and New England.

After describing the results of the incursions of different races into Great Britain, M. Boutmy goes on to portray the effects produced by the economic and social changes that have supervened; and the reader recognizes here the mode of thought that gives so much value to the author's *Développement de la Constitution et de la Société politique en Angleterre*. Strangely enough, in speaking of the agricultural England of the later Middle Ages, the "merry England of the chroniclers," he says that nothing then gave an idea of the indefatigable activity of the English of our day. The Anglo-Saxons, he adds, who bore in their veins the blood of adventurers, came into possession of an extraordinarily fertile land, and succumbed at last to the temptations of a quiet life and easy wealth. But this, again, is hardly consistent with the theory of the earlier portion of the book. He there attributed the character of modern England to the climate and the soil. He now derives it from en-



tirely different sources, namely, the discovery of America, and the religious revivals of the Puritans and of Wesley.

The last three Parts of the work, forming about two-thirds of its pages, are devoted to an examination of the political psychology of the people at the present day. In general, his estimate of Englishmen does not differ essentially from that commonly accepted in France. He finds them highly individualistic, somewhat brutal, unsociable, lacking in sympathy, and among the uneducated masses stupid; but, on the other hand, from their very lack of sympathy, frank to the degree that reaches nobility of character, energetic from the need of activity, and conservative from their dislike of abstract ideas. It may seem hard to reconcile the want of sociability with the undoubted great capacity of the English people for collective action, but the author overcomes the difficulty by ascribing the latter quality to the Englishman's pleasure in feeling himself connected with a powerful movement, a feeling which gratifies his craving for activity. It may be observed that some of the best political traits of the people are attributed ultimately to mental limitations; and in fact one derives from the book the impression that, except for this quality of energy, which partakes of the nature of virtue, the capacity of the Englishman for self-government is due rather to defects than to positive virtues.

The book goes on to treat of the political psychology of the Englishman of to-day in his various relations, as a citizen, as a party man, as a statesman. He discusses the nature of English law, and the way it is regarded by the courts and the public; the Crown and the reasons for its continued hold on the sentiment of the nation. Finally, Part V. describes the position of the individual, the family, the classes and religious sects; and ends with a couple of essays (which have already appeared in the *Annales des Sciences Politiques*) upon the functions of the state in its dealings with its own citizens, and with foreign nations.

M. Boutmy is always keen, interesting and suggestive, even when his generalizations do not carry entire conviction to the reader. But in this brief review there is room to mention only one or two of his more striking comments on English public life. One of these relates to the nature of the political parties. He notes the lack of abstract theories, or general doctrines, as the basis of party division, and the ease with which the parties change their position on questions of the day; he points out the large proportion of leading statesmen in the nineteenth century who, in the course of their public career, changed either their principles or their party. At the same time he observes the absence of independents, the fact that everyone belongs to some party, and the permanence of parties themselves. All this he explains by means of his analysis of the British political character, and especially the weakness of the power of generalization, and the necessity of a vent for activity. He sums up the whole situation in a single sentence. In substance, he says, the parties resemble much less two groups of believers who are trying to make their doctrines prevail, than two groups of combatants who are fighting

for a battle-field, and who inscribe devices on their flags in order to be recognized. This sentence touches a real and vital distinction between the parties in Anglo-Saxon and in Latin countries; and yet, of course, it is the picture of English parties drawn by a Frenchman, and, no doubt, an Englishman would express the contrast somewhat differently.

Another matter which M. Boutmy brings out very clearly is the relation of the state in England to the liberty of the individual. After pointing out the early period at which the power of the state became established in England, he describes how that state has been in the habit of leaving in the charge of individuals such matters as they were willing to attend to, whether of a public or a private nature. The line between the authority of the state and the liberty of the individual is a question not of right but of fact, and is drawn from time to time not according to abstract principles, but according to reasons of expediency. Hence, while England is the country where the action of the state is habitually the most restricted, it is the one where public motives, when brought into play, meet with the least resistance; and thus state interference with personal liberty is at times more radical and more drastic than elsewhere. This he illustrates by references to the impressment of seamen, the laws of public health, land legislation in Ireland, and other matters. He believes that the energy and activity of her people will always prevent state interference from becoming as universal in England as in France; but that if these great qualities of the English character were to become enfeebled England would be less well protected against the exaggerations of state socialism than France with her deep-rooted faith in the abstract rights of individuals.

The book, if superficial in parts, is, as a whole, interesting and suggestive; but it can hardly be regarded as a thorough systematic treatise on the subject with which it deals.

A. L. LOWELL.

*Histoire de la Civilisation Contemporaine en France.* Par ALFRED RAMBAUD. Sixth Edition. (Paris: Armand Colin. 1901. Pp. xii, 836.)

THE book, the title of which stands at the head of this review, is not, in appearance at least, a new book. It purports to be simply the sixth edition of a work first placed before the public more than twelve years ago. Between it, however, and its former editions, the differences are so numerous and of such importance that it is entitled to supersede them entirely. Not only does it contain a number of new chapters, or of additions to chapters that existed formerly, but it is safe to say that hardly any page in the work has passed from the earlier to the new edition without undergoing some change.

As it is now the work consists of three books, divided into thirty-four chapters. These thirty-four chapters contain the history of French civilization from the beginning of the French Revolution to the end of

the nineteenth century. The main division adopted by the author is based upon the great governmental changes which have taken place in France since it first determined to throw off the shackles of the *Ancien Régime*. The reader, however, who expects to find in Professor Rambaud's pages a history of the various revolutions of France during the nineteenth century will be disappointed. The work relates to politics only as one of the elements that constitute the civilization of the country. The author takes as the distinguishing features of political life in the first period, 1789-1815, revolution and reorganization; in the second, 1815-1848, government by a privileged class of voters, possessing the franchise by virtue of a property qualification; and in the third period, 1848-1900, universal suffrage.

Except for the first period, during which took place, under the master hand of Napoleon, the organization of the French administration and the French judiciary, little political information is given beside an exceedingly clear exposition of the various constitutions and a kind of tableau of the political personnel. The other chapters relate to the various manifestations of national life, such as literature, science and art, to the condition of agriculture, manufactures and trade, to the mode of life of the inhabitants, to the development of public instruction, and to the very curious relations of Church and State with each other.

The great merit of the book, which is intended specially for the higher classes in the French *lycées* and *collèges*, in other words, for young people of from fourteen to eighteen years of age, lies in its great clearness and in the vast number of well defined facts which are stated within its pages.

To the purpose for which the book was written must be ascribed, no doubt, the main fault by which it will seem to be marred to the non-French reader, namely, a certain lack of proportion in the treatment of the various elements included in the somewhat vague and very comprehensive word civilization. Literature, for instance, occupies a place decidedly smaller than its importance would warrant. Very wisely the author has given more space to the subjects about which he knew French boys and girls to be, in the usual state of things, less informed than they ought to be, questions of government, the history of sciences, etc.; of what concerns the development of the French language and the production of its masterpieces, the programme of the French schools leave very little to be desired. Such as it is, however, the American reader will find a great deal in it that will be new to him, presented in a delightfully lucid style, and arranged in the well thought out order which is one of the chief characteristics of French books. Whether a simple translation of the book would be desirable is, to our mind, somewhat doubtful. But an adaptation, the chief effort in the preparation of which would be in the direction of expansion of the rather slighted parts of the work, would do a great deal towards making the essentials of French national life better known in this country.

ADOLPHE COHN.

*Liberty Documents, with Contemporary Exposition and Critical Comments drawn from Various Writers.* Selected and prepared by MABEL HILL; edited with an introduction by A. B. HART. (New York: Longmans, Green and Co. 1901. Pp. xxviii, 458.)

SCIENTIFIC teaching demands that the student be brought into as close touch as possible with the subject-matter under discussion. In botany, for example, plants, not books, are essential. In harmony with this conception it is now an almost universally accepted principle that in historical study the pupil should be brought into direct contact with the original records of the events under consideration. Since it is ordinarily not feasible to put the student into touch with all the records of any event—to say nothing of all the records of all history—it becomes necessary to make collections of representative or typical documents or material. These collections may be prepared either to supplement the ordinary narrative text, or to take the place of the narrative itself as a class text. Nearly all the existing source collections have been prepared with the former purpose in view. Miss Hill in her *Liberty Documents* has evidently attempted the latter and more difficult problem. Her selections have been made to illustrate a single idea—the growth or evolution of constitutional history among English speaking peoples. To this end she has selected the whole, or the essential portions, of thirty-one documents arranged in twenty-five chapters. Choice has been made only of well-known and relatively easily accessible documents. The work, therefore, must be judged, not from its subject-matter, but from the idea or plan of use and arrangement. On the whole Miss Hill's examples are typical; so from this point of view it leaves little for criticism. Perhaps the limit she placed on herself by deciding to use only documents in the English language was unwise; for it cuts out all material of the French Revolutionary era. But as the line had to be drawn somewhere, it reduces itself to a matter of judgment; and after making all allowances for differences of judgment, it may still be affirmed without hesitation that the student who masters this book has a broad foundation laid for both historical research and good citizenship.

An endeavor has also been made to trace the historical evolution of the documents cited by introducing one or more contemporaneous expositions and a few extracts from the best later or modern commentators. The student thus has the document, contemporaneous exposition, and modern comment before him for each study. It is perhaps here that Miss Hill has introduced the most original feature of her work, and to a considerable extent it will be upon this feature that her book will be judged; for the brief introduction to each chapter, the marginal analyses, and the general suggestions are not essentially different from those of other works. The salient points of her plan, *vis.*, selecting a single idea or principle, and developing it by adding extracts, the writer believes to be valuable in her application of them and in their suggestiveness. It goes without saying that no final or complete study of such a

topic as Miss Hill has chosen could be made from the material given, or from any material that could be given, in the space assigned ; but it is believed that the high-school boy who masters this book will have a far better, and at the same time a more comprehensive, knowledge of the evolution of constitutional liberty than he can get—or at least is likely to get—from any other book or method of study. In short, history teachers owe to Miss Hill their good-will for this study, and to the publishers their hearty thanks for the excellent mechanical execution of the volume.

HOWARD W. CALDWELL.

*The Thirteen Colonies.* By HELEN AINSLEE SMITH. (New York: G. P. Putnam's Sons. 1901. Two Vols., pp. xii, 442 ; viii, 510.)

MISS SMITH announces in her preface that "This work has been prepared with the purpose of telling 'The Story of the Thirteen Colonies' in a manner to meet the requirements rather of the general reader than of the special student." In so doing she follows the general plan of the series to which the volumes under review belong. The author has chosen the novel method of treating the colonies as thirteen distinct units each of which has a separate history from the foundation of the colony to the Declaration of Independence, the result being that, excluding the first chapter on the age of discovery, the work consists of thirteen monographs bound together in the order of the settlement of colonies. This method of writing American colonial history is based upon the supposition that the points of difference among the several colonies were more important and fundamental than those of similarity. If this had been true the present essential unity of the American people would have been, if possible at all, even more difficult of attainment than our ancestors found it. Indeed, the chief defect of the work, Miss Smith's failure to convey clear ideas of the progressive movements and forces which led logically and inevitably to the union of the colonies in the American nation, is directly traceable to this plan of treatment. To the same reason is due the failure to treat adequately the relations between the colonies and England, especially in the first half of the eighteenth century, and the events they shared in common, such as the French and the Indian wars. In general the earlier and later periods are more satisfactorily treated than the middle period, where the narrative, in common with nearly all of our colonial histories, becomes hardly more than an account of the succession of provincial governors, most of whom were of little consequence. It is perhaps hardly fair to ask of the writer of a confessedly popular work adequate consideration of American history from 1691 to 1754, a time which has been in many of its most important features so notoriously slighted by the historians of the colonial era.

Governmental and institutional development does not receive satisfactory attention, as for instance in Maryland, where the importance of the land question is not sufficiently emphasized. Generalizations, some

times rhetorical at the expense of consistency, are not always substantiated by the facts as narrated by the author. The English style of *The Thirteen Colonies* is on the whole excellent and well adapted to the popular character of the work, although occasionally the dignity of historical narrative is marred by such expressions as "cut no figure" (Vol. I. p. 212). Errors, some of them doubtless typographical, are not infrequent, as for example: (Vol. I. p. 127) Washington is said to have been major-general of the Virginia militia in 1753; the reign of William III. is spoken of as of eight years' duration; and the ordinance of 1621 (not 1620), which was not a charter, is called the second special charter granted to the southern division of the Virginia Company. As a matter of fact the second charter granted especially to the London Company was that of 1612.

The volumes contain much interesting matter attractively arranged and entertainingly presented. Excellent judgment has been shown in apportioning space among the several colonies and in giving to events within each colony emphasis according to their relative importance. While the author has perhaps added little to our knowledge of the colonies, she has certainly written a very creditable book that cannot fail to give the general reader an increased interest in the history of our forefathers of the pre-Revolutionary days.

MARSHALL S. BROWN.

*The May-Flower and her Log, July 15, 1620-May 6, 1621*, chiefly from original sources. By AZEL AMES, M.D. (Boston: Houghton, Mifflin and Co. 1901. Pp. xxii, 375.)

THE annual inundation of oratory on forefathers' day and the constant gush of rhetoric issuing from family, church and national pride need the strong dykes of proved fact in order to preserve the solid land of history. Such a dyke the author has reared in his sumptuous work upon *The May-Flower and her Log*. One might at first wonder why Dr. Ames should be so painstaking, and so decidedly polemic over the minutiae of the famous voyage. At times he seems to be very much in earnest about breaking some butterfly writer about the Pilgrims on his ponderous wheel, and again is as in ecstasies because he has run down some tiny little heresy to the earth. At times his exultation seems akin to that of some sixteenth-century Spanish inquisitor in mashing a Dutch Calvinist into bits. The Gallios on the subject will be positively amused at Dr. Ames's earnestness in dealing with microscopic analysis of facts and publishing them according to his standard of orthodoxy. Yet the historical student must reckon this as highest virtue, thankful that he has here one who counts historical truth as valuable as that of theology or religion. Indeed truth, which needs no adjective or qualification whatever, is the goal.

After long investigations extending over many years the author lays claims to have made no fewer than twenty-three new contributions, or

original demonstrations of more or less historical importance, to the history of the Pilgrims. Among these are the establishment of dates, correct lists of passengers, vindication of persons hitherto more or less under the shadow of actual or implicit censure, such as Robert Cushman, the addition of several new names to the list of the merchant adventurers, a fuller and more trustworthy description of the "May-Flower" herself, besides many facts not hitherto published, or generally known, as to the antecedents, relationships, etc., of individual Pilgrims, of both the Leyden and the English contingents, and of certain of the merchant adventurers. He spells the name of the ship "May-Flower" according to the earliest official record, of the colony of New Plymouth, now known, in which her name appears, and he gives both the old and new styles of dates.

In elaborating his theme, the author discusses in his second chapter the Mayflower's consort, the Speedwell. In doing so, he demolishes much of the dogmatism of Professor Arber. The unseaworthiness of this pinnacle was due to a loose board or plank, and not to "overmasting." So eager is Dr. Ames to show how capable and intelligent these "nation-builders" were, that he would have us (by suggestion at least) believe that their sagacity was never found unequal to the problems they met. If he means, in his steadfast encomium and high appraisal, the leaders of Leyden, who dominated the movement on two continents and the sea, we can quite agree with him in his eloquence, yes, even join him in his denunciation of those who, by taking a different view, are in his sight marplots of the glorious Pilgrim history. If, however, he means that the rank and file of the Separatists were especially gifted in insight or foresight, and that these "inveterate landmen and townfolk" were thoroughly equipped colonists of the first order, either in preparation or in genius, then we fear that his book, at least in some parts, approaches dangerously near to the historic value of after-dinner oratory on forefathers' day. After studying the subject pretty thoroughly, we cannot find that the body of Pilgrims, aside from their deep convictions, their profound faith in God, and their stout hearts were in any way especially fitted to be colonists of America or any other wild country.

In discussing the charter, the ship herself, the officers and crew, the passengers, quarters, food and cooking and the lading, the author must necessarily, even after winnowing his mighty pile of materials, rely upon historic probabilities rather than known facts to make his story complete. We are glad to say that he seems always to have "tried to state only recorded facts or to give expression to well grounded inferences." Nevertheless, so contagious is the century-old panegyric of the Pilgrims and so persistent the exaggeration of rhetoric, that occasionally in text or note comments the author's words give an impression which simple history does not yield. In fact the author would have done better, we think, to have subjected the eulogists of the Pilgrims to even severer scrutiny than he has subjected their supposed critics, condemners, lukewarm friends, or those who would without warrant share their fame.



The statement (p. 220) that "of ' chests ' and ' chests of drawers ' there were doubtless goodly numbers in the ship," is hardly exact. It is not probable that Luther's hymn in German was known to the Leyden Separatists. If he would have us understand by "services" over the dead, anything as religious in form as in later days, even of the eighteenth century, we cannot agree with him. Neither the author's text in detail, nor the rhetoric of Choate and Goodwin quoted, gives any indication as to what a floating pest house the Mayflower was, as she lay in the harbor and then departed, and into which, what with the profane sailors and the horrible pest, no normal Pilgrim in the company would wish to return. We need not dwell on the funny geographical error in Dr. Holmes's quoted verses, nor the author's slip alleging that Carlyle was an "Englishman," nor on the grammatical error of Lowell on the title-page. Of printer's mistakes, or poor proof reading, in a work containing so many old forms and uncouth spellings, there are, to the author's credit, next to none. There is an excellent index. On the whole it must be confessed that Dr. Ames has proved most of the points which he has freshly made, while in thoroughness of discussion, and in the massing, critical use and comparison of authorities, his book is a model. The matter is fully equal to the superb form in which this noblest contribution to the subject made for a century has been clothed.

WILLIAM ELLIOT GRIFFIS.

*The Life of Charles Thomson, Secretary of the Continental Congress and Translator of the Bible from the Greek.* By LEWIS R. HARLEY. (Philadelphia: Jacobs and Co. 1900. Pp. 244.)

It is a somewhat remarkable fact that more than three-quarters of a century should have elapsed since the death of Charles Thomson, Secretary of the Continental Congress, before a formal biography of this sterling patriot should appear. The delay may have been due in part to the difficulty in securing the data in regard to his life, but more probably it may be accounted for by the fact that "to the hero worshipper, the Secretary of the Continental Congress" did "not prove a very inspiring subject." Be that as it may, his biographer points out that his secretaryship was only a portion of his services to his country and his fellow-man: "A finished scholar, he brought judgment into public life; an ardent patriot, he labored incessantly to strengthen the sentiment for independence in Pennsylvania; a skillful organizer, he aided powerfully to hold together the discordant factions of the Continental Congress; in the retirement of private life, he made a valuable contribution to Biblical literature."

Thomson's life falls naturally into three periods, his early life, his political career, and the closing period of thirty-five years devoted to literary and scientific pursuits. Of the two hundred pages of this biography about twenty-five are given to the first, and some eighty pages to each of the succeeding periods of his life. The volume is subdivided into



ten chapters, the first two of which treat of Thomson's rather eventful early years, and his career as student, teacher and business man. These are very brief, contain considerable matter which is not germane to the work, and add little to the previous knowledge of this period of his life. The third chapter presents Thomson in his first public mission, reviewing his honorable services rendered in connection with the Indian negotiations in Pennsylvania in 1757-1758. The nature of the contents of the succeeding chapter may be inferred from its title, "Charles Thomson, 'The Sam Adams of Philadelphia.'" While little that is new is brought out, this chapter gives a good succinct account of Thomson's share in the pre-Revolutionary movement.

The interest of the student of American history, as well as that of the general reader, will naturally center in the chapter which relates to Thomson's work as secretary of the Continental Congress; not only because his name is remembered chiefly on account of his patriotic services in connection with this office, but also because any new light which may be thrown on the work of the "Old Congress" will be eagerly welcomed. According to tradition, Thomson, after his retirement from office, collected material for, and prepared a history of, the Continental Congress, but his courage failing him, he destroyed his manuscript as well as nearly all the papers he had collected. This loss is irreparable, for he was better qualified than any of his contemporaries to write such a work. Indeed John Jay wrote to him in 1783, when urging him to prepare such a history, "I consider no person in the world is so perfectly acquainted with the rise, conduct and conclusion of the American Revolution as yourself."

The chapter of his biography, which deals with his secretaryship is, we regret to say, decidedly disappointing. It is distinctly inadequate, only thirty-seven pages out of the two hundred are devoted to the most important and best known years of his life, and more than one-half of this space is given to quotations from Thomson's letters and from secondary works. It seems to us that the author would have been able to present more fully the significance of Thomson's work and influence after a careful study of the manuscript records of the Continental Congress, preserved at Washington. Such a study he does not appear to have made. He has therefore failed to add materially to the contributions of Dr. Friedenwald and other investigators of the archives of this Congress, upon whose work he relies and from whom he freely quotes in regard to Thomson's methods of keeping the records of Congress.

The later chapters of the volume, which deal with Thomson's scientific interests, his literary pursuits, his personal character, his home, family and closing days, appear to us to be much more successfully written than the earlier chapters. His biographer pays especial attention to his contribution to Biblical literature, and with reason, for had Thomson never been connected with the Continental Congress, his name would still have been known to classical and Biblical scholars, owing to his translation of the Bible from the Greek. In 1808, after twenty years'

labor, he "gave to the world the first American translation of the Septuagint into English." Several examples are given from Thomson's translation in parallel columns with the texts of the authorized and revised versions, showing that in some instances he anticipated the rendition of the revised version.

Copious extracts from the published letters and writings of Thomson, as well as from a few letters not hitherto published, add to the value of the work. We are inclined to think, however, that the author has indulged in an excessive use of quotations from secondary works. A general bibliography, as well as a special one of Thomson's manuscripts and published works, is appended. The volume presents a neat appearance, and is illustrated with a portrait of Thomson and a view of his residence.

It must be owned that the author essayed a difficult task in preparing a life of Thomson, and, while we cannot regard the volume as making any important contribution to the record of his political career, it presents in readable and convenient form the chief facts of his life, together with numerous extracts from his correspondence and writings, as well as the estimate of scholars upon the various phases of his activities.

HERMAN V. AMES.

*Life and Times of William Lowndes of South Carolina. 1782-1822.*

By MRS. ST. JULIEN RAVENEL. (Boston and New York: Houghton, Mifflin and Co. 1901. Pp. viii, 258.)

A SINGLE golden sentence has kept fragrant the memory of William Lowndes through nearly a century of our history—"The Presidency is not an office to be either solicited or declined"—but it has not availed to keep in memory the facts of his career on which his recognition as a figure worthy of study and preservation must rest. A series of untoward accidents has prevented for nearly three generations the publication of the record of his life, accidents, too, which have resulted in the destruction of the materials for anything but a very meager memorial. His letters and papers, understood to have been very abundant and complete, were intrusted in 1860 to a very competent writer, who duly wrote out a full biography. The death of this gentleman during the war left the manuscript in the hands of a relative of Mr. Lowndes, who also died before he had secured its publication, and with him disappeared, strangely but finally, the entire manuscript biography. Meantime the great fire of 1861 in Charleston had destroyed the whole mass of materials from which this biography had been written. A small collection of private letters and note-books was all that remained; and now, after nearly forty years of further delay, the reverential and careful hand of a granddaughter has given us the present small volume. We must welcome it as the best and most we are ever to know of a highly interesting character, of one who to his associates and contemporaries in public life seemed truly great and wise, and of one who even in the dimness of the twilight which has so long settled over his memory has still stood as an ideal of noble, unselfish public service. The present biographer has skilfully used her scanty ma-

terials, and her work is marked by a spirit of candor and conscientious care.

William Lowndes, son of Rawlins Lowndes of Revolutionary fame in South Carolina, was born in St. Bartholomew's parish, Colleton, near Charleston, in 1782. At seven years of age he was taken by his mother to London. Here occurred an event which deeply affected all his after-life. Becoming weary while playing a game of ball, he fell asleep outdoors. Rheumatic fever resulted, which he barely survived. As a consequence ill-health followed him through life and ended his days thirty-two years later. Returning to Charleston in 1792, he there received the classical training common in those days, but owing to ill-health he did not go to college. He read law in Charleston, and there in 1802, at the age of twenty, not being admitted to the bar till 1804, he was married to a daughter of General Thomas Pinckney. After some service in the state legislature he took his seat as a member of Congress in 1811. Departing from the Federal family tradition he had become a Republican under Jefferson's administration. At the same time with Lowndes two other remarkable men entered Congress from South Carolina—John C. Calhoun and Langdon Cheves, Calhoun being of the same age with Lowndes. All three held similar political or party views at that time and all promoted zealously the declaration of war with England in 1812. Lowndes's leading interest during the war was the navy, though he gave vigorous support to all the war measures of Madison's administration. He took a leading place, also, in discussions of the United States bank and the tariff. The reports of his speeches are singularly meager, but the testimony to his character and influence and to the impression made by him on all who knew him is abundant. Probably Mr. Clay well expressed it in saying that while it was difficult to say who was greatest, "I think the wisest man I ever knew was William Lowndes." Mr. Lowndes was put before the country for the nomination for President in 1821 by the legislature of South Carolina, and this was the occasion of the sentiment which we have quoted and which has an imperishable beauty. He died and was buried at sea on the passage to England in 1822, when only forty years of age.

To have rescued from further obscurity a character so strong and so refined, and to have given us what memorials have been still spared of so beautiful, and withal pathetic, a career, entitles the author of this volume to the lasting gratitude of all who love high ideals of public life.

D. H. CHAMBERLAIN.

*Correspondence of John C. Calhoun.* Edited by J. FRANKLIN JAMESON, being the Fourth Annual Report of the Historical Manuscripts Commission of the American Historical Association, published in the Report of the Association for 1899. Vol. II. (Washington: Government Printing Office. 1900. Pp. 1218.)

THIS volume can confidently be pronounced the most important contribution of original material on our political history in recent years. It

is a fitting crown to Professor Jameson's efforts in promoting the establishment and successful career of the manuscripts commission and a most substantial proof of the material services rendered to the advancement of the study of history in the United States by the Historical Association by which the expense of supporting the commission has been borne.

By Professor Jameson's unflagging zeal, seconded by the friendly coöperation of the owners of Calhoun papers, some 800 letters from Calhoun were collected, of which something over 500 have been printed. When one is reminded that hardly more than a score of his personal letters were in print before, some idea of the positive increase of our knowledge of his personality will be gained. This autobiographical material is richly supplemented by the publication of nearly 200 hitherto unprinted letters from friends, admirers and political followers. These letters are abundant, beginning with the summer of 1843, and more than half of them relate to the eighteen months from June, 1843, to December, 1845. On the other hand, this class of material is totally lacking for the interesting decade of the thirties. Similarly, Calhoun's own letters are most numerous from 1840 onward. In the earlier period there are considerable gaps, such as from Nov., 1815, to Oct., 1817; from Jan., 1829, to March, 1830; and others of several months. In this period, also, the number of letters at certain political junctures of great interest is small. There is little on the war of 1812 or on the Missouri Compromise; there is one reference to the Holy Alliance, but nothing on Monroe's historic message. No light is thrown on the presidential crisis in 1825, and the gaps in the correspondence in 1832-1833 leave our knowledge of the nullification struggle much as it was before. On the other hand, the Texas question and the political issues consequent upon it and upon the Mexican war receive a flood of light.

It is only with the rise of the Texas question and the increasing divergence of interests and views between the new democracy of the North and the surviving original republicanism of the South that the slavery question looms portentous in Calhoun's mind. Earlier the inequity of protectionism and its baleful political consequences are his main concern.

It will be impossible in the limits of a review to select much from these letters for discussion and therefore I shall limit myself to some general comment and to noting a few items of special information. As revealed by himself, Calhoun stands out preëminently as the conservative. He is not the radical, not the aggressive leader of the slavery interest but the steadfast champion of the republicanism of 1798. The delicate balance of powers and functions established by the Constitution he believed to be America's most valuable contribution to politics, and when time revealed that to the finely adjusted balance between the states and the Federal government there must be added an equally adjusted balance between the sections, Calhoun's life work as a conserver was clear. Only by preserving this last balance could the painfully constructed equipoise of states and central government be maintained or the

wise allotment of powers and functions to the different organs of government be secured from derangement.

If the tariff laws enriched the North at the expense of the South and diminished the profits of agriculture to increase those of manufacturing, the inevitable result would be the more rapid growth of the North and the gain of the Northern element in the House of Representatives, thus upsetting the balance between the sections, and, in Congress, between the House and the Senate.

Fidelity to the Union as originally framed under the Constitution demanded the preservation of its balances without which it could not be maintained. If the North extended westward the South must expand likewise. The annexation of Texas consequently is necessary to the maintenance of the Union. To oppose such restoration of the original equipoise of the sections was in reality to refuse to abide by or to reinstate the original conditions of the Union. Hence the Texas question is a test of Northern fidelity to the constitutional past. If Texas cannot be annexed, the Union is in effect and ought to be in fact dissolved. Similarly, the demand for the Wilmot Proviso or the refusal to extend the Missouri Compromise line to the Pacific constitute Northern aggression, for they aim to defeat the restoration of the original balance of the sections. Calhoun could see safety only in *pari passu* growth, and for the more populous section to stand upon its strength and to block the effort to recover the pre-established balance was morally to renounce the fundamental conditions of the Union as originally framed and to force its dissolution. But *pari passu* growth was impossible and the effort to preserve the balance of the sections proved a Sisyphean task.

Turning now from the general to the particular it may be noted that Calhoun in an interview in 1831 (p. 305) declared that his tariff speech in 1816 was "done at the request of Ingham suddenly and without preparation"; that in 1838 (p. 422) he affirmed that nullification had overthrown Clay's American system, in other words, was a success; that in 1840 (p. 468) he declared the Virginia and Kentucky Resolutions and Madison's Report to the Virginia Legislature to contain "far deeper and more correct views" of our system of government than the *Federalist*; that in 1842 (p. 528) he prophesied "should conventions to nominate the presidential candidates become the settled practice . . . the necessary consequence will be, that the great central non slave holding states will control the election, to the exclusion of the rest of the Union, and especially the South." This would upset the balance of the government for: "It is, in fact, only when the executive power is under the influence or control of the less populous states and sections, that there is any balance in the system." (p. 539). In 1844 he wrote (p. 616): "I do not know a state or city, which requires to have its politicks elevated to higher standard than Pennsylvania and Philadelphia. In none is the contrast greater between the individual character of its people and that of its government."

The anonymous *Life of Calhoun* published in 1843 by Harper, we

learn, was mainly the work of R. M. T. Hunter (p. 524). The letters of Calhoun's supporters abound in striking comment on current politics and leaders and admirably supplement his own in the presentation of the aims and ideals of which he was the champion.

Professor Jameson has performed his task as editor, as was to be expected, in the spirit of broad historical scholarship and with a fullness of knowledge that make one regret at times the modest parsimony of illustrative or explanatory comment. In only one case was a probable error detected where on p. 599, Calhoun's remark, July 2, 1844: "I see Brownson's *Quarterly* has a short, but very good article on the subject," is annotated by "'The Texas Question,' *Democratic Review*, April 1844, p. 423." The note should have been, I feel sure: "Brownson's *Quarterly Review*, July, 1844, pp. 402-407." Brownson severed his connection with the *Democratic Review* at the time he established his *Quarterly*, January, 1844.

Professor Jameson takes leave of his labors with the remark that "his modest task has been to provide materials with which others may elaborate the fabric of American political history or the biography of Calhoun." A new biography of Calhoun is a great desideratum and one rises from the study of this volume and especially from the editor's introduction with the conviction that Professor Jameson is preëminently the man to write it. He has made the subject his own and he possesses in a high degree the qualities of mind to do justice to all sides and to lift his subject out of the realm of controversy.

EDWARD GAYLORD BOURNE.

*American Diplomatic Questions.* By JOHN B. HENDERSON, JR.  
(New York: The Macmillan Company. 1901. Pp. 529.)

THIS volume is made up of five separate papers: "The Fur Seals and the Bering Sea Award," "The Interoceanic Canal Problem," "The United States and Samoa," "The Monroe Doctrine," and "The North-east Coast Fisheries."

The first paper is mainly a résumé of the historical and legal points advanced by the United States and Great Britain before the Paris tribunal of arbitration in 1893. While strongly deploring the conditions that seem to threaten the destruction of the seal herd and condemning the selfish policy of the British Government in this connection, Mr. Henderson concludes that our case was not only without foundation in public law but contrary to principles we had earnestly striven to establish in other connections. He thinks that our contention before the Paris tribunal cannot be regarded otherwise than as an assertion of the doctrine of *mare clausum*.

The second paper deals with "The Interoceanic Canal Problem." After a somewhat detailed history of the various concessions, particularly that of the Maritime Canal Company, the writer proceeds to the discussion of the Clayton-Bulwer treaty. Mr. Clayton, he thinks, was unduly hurried

into the negotiation of this treaty by the aggressive attitude of England in the Tigre Island incident. It is not so much the objects of the treaty as the failure of Mr. Clayton to accomplish those objects, that Mr. Henderson criticises. On grounds of public policy and expediency he advocates a neutralized canal in the full legal sense of that term and not in the restricted sense given to it by Mr. Blaine. It is interesting to note that Mr. Henderson questions the commercial value of an isthmian canal.

In the paper on "The United States and Samoa" the author draws some very wholesome lessons as to the futility and danger of "entangling alliances." This perplexing question has at length reached a satisfactory solution through the withdrawal of England and the establishment of separate spheres of influence for the United States and Germany. In view of these facts 81 pages appear to be too much space to devote to what may be regarded henceforth as a closed question. As the writer himself says, "In the world's history the story of Samoa can never expect to find a more prominent place than a footnote. In the annals of diplomacy it must figure as a farce."

The fourth paper, on "The Monroe Doctrine," fills 160 pages. This is perhaps the least valuable part of the book, as the facts cited are for the most part well known and the personal opinions of the writer are open to criticism at many points. Mr. Henderson is not an advocate of the Monroe doctrine, which he characterizes in language more rhetorical than discriminating as the *ignis fatuus* of American politics. He seems to deny the power of development or growth in a principle of public policy and judges all appeals to the Monroe doctrine by reference to the original thought and intent of its author. The course pursued by the United States in regard to French intervention in Mexico he regards as in line with President Monroe's declaration but maintains that the action of Mr. Seward was in no way connected with the Monroe doctrine as such, and that the ground of his opposition to Napoleon III. would have been equally strong in the absence of any such specific and permanent embodiment of policy. "In the French invasion of Mexico," he says, "the threatened danger to the United States was so real and apparent that no juggling with magical words was necessary to satisfy the national conscience that interposition was necessary; and it will be noted that in all the official despatches relating to this international episode, no mention whatever is made of the Monroe Doctrine, no statement refers to a 'well established policy,' no precedent is exhibited, and no offerings are made upon the altar of a 'manifest destiny.'" So far as I am aware, Mr. Henderson will not find the Monroe doctrine referred to by name in any official despatch prior to Mr. Olney's Venezuelan letter of July 20, 1895. That Mr. Seward had the Monroe doctrine in mind cannot be doubted, for several of his despatches in this connection, even those from which Mr. Henderson quotes a few pages later, use language almost identical with President Monroe's message.

The fifth and concluding paper deals with "The Northeast Coast Fisheries." Mr. Henderson's views are in no way biased by the attitude

that his own government has assumed with reference to these matters. He points out that our alleged rights of participation in the inshore fisheries of Canada are wholly incompatible with our contentions for exclusive privileges in Bering Sea.

There are a few minor inaccuracies in the volume which may be typographical, but one is surprised to see it stated, on page 312, that the Greek insurrection of 1821 was crushed by the allied powers of Europe, and on page 314 that Canning succeeded Castlereagh as Prime Minister. It is difficult to know just what place to assign this volume in the literature of the subject. For the general reader it is too detailed, from the list of reference books it is debarred by the lack of an index, while the entire absence of footnotes or references of any kind to authorities will render it of little value to the student.

JOHN HOLLADAY LATANÉ.

*Civil History of the Government of the Confederate States with some Personal Reminiscences.* By J. L. M. CURRY, LL.D. (Richmond, Virginia: B. F. Johnson Publishing Company. 1901. Pp. 318.)

LIKE Dr. Curry's earlier sketch, called *The Southern States of the American Union considered in their Relation to the Constitution of the United States and to the resulting Union*, this counterpart of it is written in a lucid, candid, and persuasive style. Although the author was an Alabama Representative in Washington for four years before secession, and then divided the next four years between the Confederate Congress and the army, he feels neither bitterness nor personal regret. In most respects this volume is much like a record of a series of monologues by a well-read and thoughtful public man. Scholarly or thorough it does not pretend to be: in reality, it is a popular work in defense of secession, with a description of the excellencies of the Confederate Constitution and an outline of the political history of the Confederacy.

About one-third of the volume, called the "Legal Justification of the South in Secession," is essentially the substance of the familiar Calhoun argument with mollifying variations. Everywhere the question is assumed to have been one of principle and constitutional law; nowhere does it appear that slavery was the cause of the strife or even a chief factor in the problem of getting a new government whose corner-stone should be slavery. On December 10, 1859, Dr. Curry made, in the House of Representatives, perhaps the most careful political speech of his life. In it he contemplated and advocated secession in case either Chase or Seward should be elected the following year, and yet he did not express a single word of complaint on any subject not directly concerned with the Southern interest in slavery. Remove the issue of slavery, and the South would have thought no more about secession than the Northwest did. Why this great difference in attitude then and now, common to perhaps ninety-nine per cent. of the surviving Confederate lead-



ers? They then as confidently believed in the right and the economic necessity of slavery as they did in the institution of marriage. Now there is not an intelligent man among them that does not feel that it was wrong. Therefore, although one grant their claim to a constitutional right to secede, they cannot fully vindicate themselves, even to themselves, without forgetting the chief motive of their action—a determination to protect slavery not only from unconstitutional interference, but to put it out of reach of the assaults of abolitionists and to withdraw from association with a section whose hatred of slavery and slave-holders was sure to undermine and destroy the prestige of Southern politicians. In time it will dawn upon the South that the quality of the purpose of a great political movement is often quite as important as any question of an abstract principle of legality. Suppose we should discover to-morrow that the Pilgrims or the Huguenots were persecuted not because they wished to worship according to their consciences, but to blaspheme according to wanton whims; that the Revolution did not grow out of a tax on tea, but of an attempt of George III., by all legal and some illegal measures, to cause the wealthy colonists to give up the custom of importing and keeping, say, Chinese concubines, what wonderful arguments would soon be evolved by the dogmatists and the theological historians, and how the noble collectors of genealogical scraps would rewrite family “histories”! Dr. Curry produces a good *legal* defense, yet it will not suffice for a justification, which is really what he seeks.

The 172 pages, divided into eight chapters, called the “civil” history of the Confederacy, are a meager but mild and generally pleasing account of many of the leading features of the political history of the four exhausting years of the government’s life. There are, here and there, some really valuable bits of reminiscence and description, but aside from a good chapter on the Confederate Constitution there is little more than the traditional account of men and events. The author rests as implicitly now as forty years ago in the belief that Floyd was a much abused and perfectly upright man, and that the Confederate commissioners to Washington in the spring of 1861 came like angels of mercy but were treated with less honor than prevails among thieves. If Dr. Curry had read either all the records or the statements of reliable historians he would hold very different opinions on these subjects. Likewise, if he had turned to Livermore’s *Numbers and Losses in the Civil War*, he would hardly have ventured to assert (p. 153): “A maximum estimate of the troops in the Confederate army, from beginning to end, would be 700,000.” There were nearly a million. The excellent chapter on the Confederate Constitution is supplemented with an appendix where the Federal and Confederate Constitutions are placed in parallel columns and the important Confederate features are clearly brought out by the use of italics.

The volume has incidental value to the historian. Its mild temper and perfect honesty of purpose, though sometimes misdirected by war-time allusions, ought to make the book attractive to the ordinary reader,

who seeks general information and is not very particular about minor points. Psychologically it has rare importance; it is an almost perfect record of how even the best and most intelligent Confederates came in time, and by unconscious and even amiable self-deception to believe that secession was the necessary result of their sacred reverence for the strict letter of the Constitution.

FREDERIC BANCROFT.

*The Diplomatic History of the Southern Confederacy.* By JAMES MORTON CALLAHAN, Ph.D. (Baltimore: The Johns Hopkins Press. 1901. Pp. 291.)

THE material for writing a history of the diplomatic relations of the Southern Confederacy is quite abundant, but it is scattered through a great variety of publications. Much of it is to be found in the biographies of the public men who conducted the affairs of the inchoate government, in the narratives of naval and financial agents sent abroad by that government, in the published Rebellion archives, in magazine articles, and, lastly, in the unpublished archives of the Confederate State department now in possession of the Federal government.

It has been the task of Professor Callahan to gather into a consecutive narrative, for the first time, this diverse and scattered material and give to the public a sketch of the diplomatic history of the Confederacy. A small book of less than three hundred pages on such a subject must necessarily be only a sketch, as its compass precludes the production of documents or any detailed account of events. The author was well fitted for the task, as he is devoting his life to this class of work, and has already given to the public a number of volumes on kindred topics. The reader will find that the task has been well and impartially done, and that he is furnished with a very interesting account of this most important branch of the Confederacy's efforts and failures.

If the work is examined with the critic's eye there will be found a few, not many, defects. The narrative of events is sometimes repeated in different chapters, and occasionally in almost identical language. This is allowable, in fact proper, in presenting the subject by way of lectures to students at intervals of time, but should have been corrected in book form. There are abundant citations of authorities which are helpful to students and useful to the general reader, but they are not always complete. A citation of "Nicolay and Hay's *Lincoln*," which is given more than once, without designating volume or page, is very inadequate in referring to a work of ten volumes.

Professor Callahan shows that the great object of all Confederate diplomatic effort, and in reality the chief hope of the success of the Confederacy, was to secure European intervention, especially that of Great Britain and France. It was apparent to the thoughtful men of the South that it was an ill-matched contest of arms; that with the overwhelming preponderance of the North in men and material resources the

and was not doubtful unless one or more of the powerful nations of Europe could be induced to intervene. And there was entertained a confident expectation that such intervention would occur. It is a curious speculation whether secession would ever have been attempted, if men in high places in Europe had not held out hope of governmental action which in the end proved illusory and vain. The narrative of the two missions—first of Tansley, Post and Mann and, second, of Mason and Silliman—are full of interest. The exaltation of spirits at the opening of the contest, when Europe seemed convinced that the Union was hopelessly disordered, and when it was believed the proclamations of neutrality would soon be followed by intervention; the depression that came when it was found that British neutrality was not to be a thin disguise for material aid to the Confederacy, and that Napoleon's ready promises were to have no practical result; the alternate rejoicing and disappointment in London and Paris at Confederate victories and defeats; the duplicity of the French court and the machinations conducted with the British nobility and capitalists—all these furnish the material of a well told story.

One of the most noticeable features of the book is the strong and favorable light in which British neutrality is brought out. Lord John Russell acknowledges his error in allowing the *Albatross* to escape; and, if we except that blunder and his suffering the anterior cruisers to go to sea, it would be difficult to find in the Confederate archives any evidence on the part of the British ministry of partiality for the South. The first commissioners were seen by Russell once only and then in a private way. Mason, who was especially accredited to London, never secured any official standing, and his letters are a constant series of reports of the unfriendliness and alleged incivility of the ministry; and before the war is half over we find Benjamin, Secretary of State, directing him to leave London when his stay was "no longer conducive to the interests nor consistent with the dignity of the Confederacy."

When secession occurred "cotton was king," at least in the eyes of Southern statesmen, and through a "cotton famine" it was believed England would be induced to stop the war. The blockade of the southern ports which brought much embarrassment to Confederate operations was the objective point through which intervention was to be brought about by the diplomatic agents. They felt sure that Great Britain would not tolerate such an interruption of the world's commerce. The narrative under review shows how earnestly they labored to this end and how signally they failed. England was convinced that a people, who within a few months could improvise a navy so numerous and so strong as to blockade effectually twenty-five hundred miles of sea-coast, was a power not lightly to be provoked.

It is curious to note the arguments which were presented to the British ministry and public to influence their action. These appear in the instructions of Secretary Benjamin and in the correspondence and conversations of the diplomatic and other agents of the Confederacy. The effort was constantly made to have it appear that the cause or origin

of the secession movement was commercial, the tariff, the unjust and discriminating taxation ; that the new government was based upon free trade ; and the most liberal promises were held out as to its commercial policy.

The author shows how fallacious were these assertions, that the moving cause of the war was slavery, and that the British public could not be misled by such specious promises. Neither were the Southern commissioners long in discovering what was the moral conviction of the English people. Yancey, who headed the first commission, reported to President Davis "that English feeling was so strong against slavery that the Government would hardly dare to give any help that would tend to perpetuate the institution." And when at last the ruling spirits of the Rebellion awoke to the situation, and Congress and Mr. Davis decided to agree to emancipation, the commissioners were told by their leading British friends "that it was too late to secure recognition by the abolition of slavery."

The book shows us that the diplomatic affairs of the Confederacy were in the hands of able men, and while they completely failed in their great object, it was because of the situation, and not from any want of skill on their part. The narrative also brings out strikingly the effectiveness of the efforts of Seward and Charles Francis Adams. The Confederates were greatly disappointed over the peaceful settlement of the "Trent affair," which turned English public opinion much to the side of the United States. In a spirit of spitefulness, Mason, after several months of irritating experience in London writes Benjamin: "The British Government shuts its eyes to accumulating proof, . . . and relies on the open mendacity of Seward." It was a marked evidence of the influence of the United States among the nations even forty years ago, that a great and heroic people could for four years maintain a widely extended war with armies numbering hundreds of thousands, and disorganize the commerce and industries of the world, and yet fail to secure the recognition of a single government. The story of these events, so attractively and impartially narrated by Professor Callahan, forms one of the most interesting episodes of modern history.

JOHN W. FOSTER.

*Currency and Banking in the Province of the Massachusetts-Bay.*

By ANDREW MCFARLAND DAVIS. Part I., Currency ; Part II., Banking. [Publications of the American Economic Association. Third Series, Vol. I., No. 4.] (New York: The Macmillan Co. 1901. Pp. xiv, 473 ; xii, 332.)

HERE is a solid piece of work in a new field well worth tilling. As for its solidity every chapter and page has weight and place in the book. Mr. Davis does indeed intimate that what he has written on the Massachusetts coinage might have been left out, in view of Professor Sumner's articles, which Mr. Davis had not seen. But we do not agree

with the author on that point. This part of his work is as useful as any, and to have omitted it because another writer, however eminent, had already written on the subject, would have been unfortunate. It formed part of Mr. Davis's subject and his book has not lost weight for the chapter. Indeed our feeling all along, in reading the book through, has been that it was almost too solid. Interesting as it is, it is full of hard reading—hard especially in some places for men who do not take to mathematics as economists do. It would have been a help to many, we are sure, had Mr. Davis given us at the end of each of the many long and intricate discussions a short, sharp summary. Mr. Davis himself has now and then felt the difficulty of the lay reader and presented a "summary"; but his summaries are not what we mean, they are not summary enough and not frequent enough. When the book reaches its next edition, we hope that Mr. Davis will, in the way suggested or in some other, help the reader to grip the discussion with him.

In saying in the next place that the work occupies new ground, we do not mean that others have not tilled parts of it, but that the field taken as a whole was a new one. And the author is entitled to the *cum laude* for seeing what was held from the eyes of others and for the wisdom of entering and opening up the land. But there is more to be said than that. Even in regard to subjects which others have considered, there is much for the reader's special profit in what Mr. Davis says. Sometimes the best word by far has been said by him. Nowhere, for instance, is there so full and vivid a portrayal of the dissensions between the governor and council on the one hand or usually so and the house of representatives on the other, as in this book—nowhere except in the original records themselves, which indeed it would be hard to equal. The currency was the rock of offense between the contending sides; and Mr. Davis has put the contest before the reader with great clearness. He has shown us that there is but one thing to admire in the conduct of the house and that is its obstinacy. Those who want to see the working of first causes leading to the Revolution should read these pages.

After what we have said we are hardly called upon to justify our third statement, that the field was worth tilling. Still we should add that the book must be read to enable one fully to realize its value. Any intelligent man who reads it with attention must come away from the reading a better informed man than he was before in regard to a great stage in the colonial history of New England. We should be glad to see a special edition of the work, at least of the part on currency, prepared by suitable emendation, as a text-book for our colleges. If such a thing should be done, a glossary should be added. Such terms as "chancer" and "piece of eight" would need explanation.

Speaking now of Part First, it remains to state the general nature of the contents. The subject "currency" opens with a chapter on the colony bills, and their connection with bills of the province. Then we have the chapter on coinage already mentioned, with explanations of proclamation money and lawful money. Chapters follow showing the cur-

rency troubles, among the most valuable chapters in the book. Here we have excellent accounts of old tenor, middle tenor, and new tenor bills, together with the whole disheartening story of paper issue and depreciation, the vain attempts at remedial legislation, the struggles of Belcher's day, the inflation under Shirley, the connection of the Louisbourg expedition with resumption, the delays and vexations in making payment of the province claim in regard to it, the payment of the claim at last, and then the resumption of specie payments with the silver received. Other chapters follow of interest, among them brief statements of the emission of bills by New Hampshire, Rhode Island and Connecticut, with their effect in Massachusetts.

Part Second begins with chapters on what was going on in England in the way of discussions of banking schemes during the greater part of the seventeenth century. Being of a legal turn of mind, we noted with particular interest what the author had to say on the beginnings of promissory notes and their relation to the law. What Mr. Davis says is to the point. The ground, however, of Lord Holt's opposition to these instruments is not stated, and indeed is somewhat obscured by the perfectly true statement that his objection lay to matter of form, since his lordship admitted that the purpose could be accomplished by putting the instrument into the form of a bill of exchange, an instrument already recognized by law. Lord Holt objected because he was unwilling to make it possible to turn money debts so easily into negotiable obligations. He feared for the common law which revolted at the very idea of negotiability; he revered the common law and distrusted Lombard Street. But it should well be noted, at the same time, that it was Lord Holt himself, and not the merchants whom he accused, that was guilty of "opinionativeness"; for the mischief, if mischief it was, had already been done, long before, when foreign bills of exchange were grafted upon the law. Lord Holt was locking the barn after the horse had been stolen.

Chapters on the influence here in America of English discussion and on the various banking schemes in Massachusetts before those of 1740 follow. The Connecticut land bank and the merchant's notes of Boston and New Hampshire, are next disposed of, and then follows a chapter of surpassing interest on the main topic, the land bank and the silver bank of 1740. No more striking chapter in American history touching economics has been written. The rest of the work is matter of detail and need not be specified.

Several useful appendices and a good index conclude each Part of the work. It would have been well to add the precise dates and references for the various issues of bills of credit to the list at the end of Part I. Invaluable cuts in facsimile are scattered freely through the whole work.

MELVILLE MADISON BIGELOW.

*The Old New York Frontier: Its Wars with Indians and Tories, its Missionary Schools, Pioneers and Land Titles, 1614-1800.* By FRANCIS WHITING HALSEY. (New York: Charles Scribner's Sons. 1901. Pp. xiii, 413.)

To students and general readers interested in the local history of New York, Mr. Halsey's *The Old New York Frontier* is a very welcome volume. The author evidently inherited his task, for he tells us that his interest in the events described in the book began while he was preparing to republish the reminiscences of his father, who had settled in Unadilla in 1840. Born and brought up in Unadilla, Mr. Halsey brings to his subject that personal interest and enthusiasm arising from perfect familiarity with the localities whose historic beginnings he has described. The book is essentially a local history and its real contribution to historical knowledge is, of course, along the line of local and not general American history. It is true the author discusses many events of a wider importance; the battle of Oriskany, the Sullivan expedition, the Iroquois, are subjects that appeal to the student of the general history of America and that possess an importance extending far beyond the boundaries of the state of New York. But it is not in the discussion of these more general topics that the real value of the book lies; the chapters that deal with purely local affairs are the most original and valuable. The author takes a keen interest in these local events and discusses them in an entertaining style that is rarely attained by the writer on local history. Mr. Halsey informs us that he has gathered still more material relating to the history of the Susquehanna country and it is to be hoped that he may some day complete the story of the Susquehanna settlements.

The first chapters of the work deal with the Indians that lived in the region of the upper Susquehanna. A large portion of the book is a history of the Susquehanna region during the Revolutionary conflict. The investigations of Mr. Halsey tend to confirm the conclusions of earlier writers that the atrocities of the border conflicts are not to be laid at the door of Joseph Brant, but that the Butlers and the Tories were more cruel and revengeful than the savages themselves. On the whole, the author shows a commendable calmness and impartiality in discussing the border warfare in New York. The concluding chapters of the book present an account of the Susquehanna country from the end of the Revolution to the commencement of the nineteenth century. The desolated Susquehanna settlements were repopled to a large extent by settlers from New England, especially from Connecticut.

A few criticisms may be noted. The title of the book is perhaps somewhat misleading. It is certainly not the entire frontier of New York whose history Mr. Halsey attempts to trace. "*The Old New York Frontier*" may be an attractive title, but the *Susquehanna Frontier* would have been a title more accurately describing the contents of the book. The author helps to perpetuate the notion that Hudson was a Dutchman by calling him "Hendrick" (p. 6). He waxes perhaps too enthusiastic

over the Iroquois who he believes gave birth to self-government in America and "effected a union of *States*." Whether the term "*States*" may be applied to the tribal system of the New York Indians is at least questionable. While Mr. Halsey has drawn to some extent upon W. W. Campbell and to a greater extent upon W. L. Stone for his facts, he has also added considerable new material. Although not a piece of scientific historical writing in the sense that authorities are carefully indicated in footnotes, it is apparent that the book is the result of painstaking investigation. An excellent bibliography of printed and manuscript material relating to the Susquehanna frontier completes the volume.

C. H. RAMMELKAMP.

*A Historical Geography of the British Colonies.* By C. P. LUCAS. Vol. V., Canada. Part I. (London and New York: Henry Frowde. 1901. Pp. 370.)

DEAN STANLEY, in the preface of his interesting work, *Sinai and Palestine*, has pointed out the connection between history and geography. He says: (1) An insight into the geographical features of any country may elucidate the general character of a nation to which it has furnished a home. (2) The geographical situation of a country may have influence upon the forms and expressions of its poetry, its philosophy and its worship. (3) The connection between history and geography is seen in the explanation of the events that have occurred in any locality, as, for example, between a battle and a battle-field, a campaign and the seat of war. The method of the historian seeking as a geographer to elucidate history may evidently be followed with much profit. The question arises, does the present work fairly deserve the title of an historical geography? No doubt the first sixty and the last twenty pages of the work—about one-quarter of the whole—do pay some attention to the relation of the topography to the events being described, yet the remainder of the book is very much after the model of our ordinary Canadian histories.

In one respect it falls short of these histories. The history of French Canada is admittedly the most difficult portion of Canadian history to treat, and the most barren of results to the painstaking historian. No work on this period has yet equalled that of Garneau, written in the French language. He succeeded in giving a fair picture of the social and political history of New France. The present work on historical geography has completely ignored these phases of the subject and has paid chief attention to the exploration of the water system of New France, and to the wars of the two rivals in the New World—England and France. So much is the latter feature prominent, that the work might fairly be classed as what the school of Green would call "a drum and trumpet history." But while this is true, yet the work is a very interesting treatment of the history of Canada up to the time of the conquest of 1759.

The writer has a clear and epigrammatic style, much facility of expression, and the happy faculty of illustrating the points of Canadian his-



tory by rapid reference to the history of other lands. His method of laying hold of some remote allusion to the point under discussion from works of biography or general literature is very effective. Chapter VII., "Louisbourg," and Chapter IX., "The Conquest of Canada," are the best as to treatment in the book, and the author has evidently undertaken them *con amore*. The exploratory part, which is largely a condensation of Parkman, does not seem very well done, while the closing chapter of general summary is labored—not spontaneous—and is the least interesting part of the work.

A few small inaccuracies occur in the book. There seems no reason for using the antiquated form *habitans* instead of *habitants*. Though the name "Griffin" is given to La Salle's unfortunate vessel in school histories, yet the form "Griffon," the original name, would be better for this work. Most Canadian historians have preferred the form "D'Aulnay" to "D'Aunay" for the powerful enemy of the La Tours of St. John. Duluth, the great leader of early *voyageurs*, should hardly be called a *coureur de bois*. The distinction in the use of "Hudson" for the bay and "Hudson's" for the company is not usually followed by our author as it ought to be.

While we should have been better satisfied if in the volume before us there had been a fuller treatment of the great work done by Laval in the higher sphere, and by Talon, the intendant, on the material side of life in New France, and would have thought it necessary to describe somewhat fully the restrictions on trade, the gross corruption in all departments of the public service, and especially the apathy produced among the French Canadians by the career of the scoundrel Bigot, as causes of the fall of New France, yet we appreciate highly the book looked at from the author's point of view, and are delighted to see the appearance of this series treating the history of the colonies of the British Empire in so pleasing a manner.

GEORGE BRYCE.

*The Early Trading Companies of New France: a Contribution to the History of Commerce and Discovery in North America.* By H. B. BIGGAR, B.A., B.Litt. (Oxon.). (Toronto: University of Toronto Library. 1901. Pp. xii, 308.)

IN the settlement and exploitation of New France, the ambitious court at Versailles was chiefly impelled by greed of dominion—the thing which to-day we call imperialism. French courtiers and military men were possessed by a passion for high adventure, and eagerly sought this new field of endeavor; merchants and ship-masters, particularly in the northern ports, yearned for the loaves and fishes of the fur trade; ecclesiastics, then conducting splendid missionary enterprises in South America and Asia, had a chivalrous desire to Christianize the wild men of North America. The history of New France has therefore to be approached from several points of view: that of the political agent, of the

professional explorer, of the missionary and of the commercial exploiter. Not least of these is the last named, for never was a colonial enterprise more completely dominated by the fur trade. While most other elements in the dramatic story of New France have been quite fully treated by monographists, or have been elucidated by masses of documentary material—such as Champlain's *Voyages*, the writings of the Jesuits, the journals and memoirs of Lescarbot, Hennepin, Perrot, Radisson, Le Clercq and Charlevoix and the collections of Margry—it has remained for Mr. Biggar to give us the first detailed account of the great trading companies which for a half century controlled its fortunes.

Enormous profits were early reaped from the fur trade of the St. Lawrence region. Fishermen resorting to the Banks, to Newfoundland and to the lower reaches of the river, first bartered with the natives. John Cabot's ship (1497) conveyed small stocks of goods from "divers marchants of London," and in his little fleet were "three or foure small ships fraught with sleight and grosse marchandizes, as course cloth, Caps, laces, points and other trifles." The records of the sixteenth century abound in references to a far-reaching commerce by fishermen and small adventurers.

In 1588, two nephews of Cartier were granted a monopoly of the trade, in consideration of money due their uncle; but opposition from the Brittany merchants was so persistent that after a few months the right was annulled by the court. A monopoly was, however, granted to Chauvin in 1600, but it was withdrawn at the end of three years. De Monts, the founder of Ste. Croix and Port Royal, held a monopoly from 1604-1608. Freedom of trade followed, from 1609-1613. Champlain's Company of Associates, comprised of Rouen and St. Malo merchants, held New France in their grasp from 1614-1620. A company organized by the De Caens, for a time were rivals with the Associates, but in 1622 they united fortunes, the joint monopoly continuing until 1627, when it was succeeded by the Company of New France, or "Hundred Associates," personally controlled and managed by Richelieu. The operations of the company were suspended during the English occupation of Canada (1629-1632), but their place was taken by the Scottish and English Company, who made great gains, although much beset by small rivals who chafed under the exclusive privileges of the great. When Canada was ceded back to France, the Hundred Associates resumed their control of the political and commercial affairs of the colony. The charter of the company obliged them to settle 4,000 colonists in New France before 1643; to lodge and support them for three years; and then to give them cleared lands for their maintenance. The vast expense attending this undertaking was beyond the ability of the Associates; therefore, in 1645, they transferred to the inhabitants of Quebec their monopoly of the fur trade, with their debts and other obligations—retaining, however, their extensive seigniorial rights. Finally (Feb. 24, 1663), the Hundred Associates abandoned their charter, and New France became the property of the Crown.

Mr. Biggar's account, being confined to "the early trading companies," ceases with the resumption of operations by the Company of New France in the summer of 1633. He has given us a comprehensive résumé of the commercial history of the province up to that point, with every indication of earnest study of original authorities, tempered by judicious discrimination. Foot-notes, chiefly of citation, abound; and of the 296 pages of text, 126 are devoted to a detailed recitation and helpful discussion of the principal sources for the study of New France. An excellent working index is another acceptable feature of this admirable monograph.

R. G. THWAITES.

*China and the Allies.* By A. HENRY SAVAGE LANDOR. (New York: Charles Scribner's Sons. 1901. Two Vols., pp. xxv, 382; xxv, 446.)

THE object of this work is to furnish a brief account of the organization of the Boxers and a detailed history of the military operations which ended in the capture of Peking and the deliverance of the foreigners and Chinese Christians shut up in the legations in the summer of 1900. The author appears to have been present at the capture of Tientsin and on the successful march of the allied troops to Peking. He gives a diary of the events occurring during the siege of the legations. He compiled it from the statements of persons who were shut up in the city. But he has furnished us the most minute and complete account of what befell them that we have seen. Much interest is added to his narrative by excellent maps of the country traversed and of the battle-fields, and by numerous pictures of buildings and scenes. Many of these are reproductions of photographs taken by the author, sometimes while under fire.

Of especial value to one who wishes to study the history of these hostilities are the edicts of the Emperor and proclamations issued by the Boxers and by Chinese commanders. These reveal very plainly the means taken by the Boxers to incite hatred of the foreigners and also the sympathy of many of the high officials with the Boxers, even when they were pretending to foreigners that they were endeavoring to suppress them. A number of these papers are, it is believed, for the first time spread before English-speaking readers, and throw great light on the motives, temper and purposes of Chinese leaders. Very significant are copies of papers found in the office of the viceroy at Tientsin, whose conduct the British consul, deceived, had been reporting to his government as "very correct." These papers show that he had been paying rewards for the heads of foreigners and pensioning the families of Boxers, while persuading the foreign consuls that he was busy in endeavoring to put down the Boxers.

It is well-known that secret societies have long been numerous in China. They have had various objects, political, economic, social, religious. Mr. Landor traces the Boxer society back as far as 1747, when it was active in causing the expulsion of the Jesuits, and identifies it with a

secret society, which the government endeavored to suppress in 1809. The members have always been opposed to foreigners. Mr. Landor says, and truly we believe, that in their recent uprising they had in mind not exclusively attacks on missionaries and native converts to Christianity, but also attacks on all "foreign devils." The reform movement of 1898 at the court, the seizure of territory by foreign nations, the failure of crops in the northern provinces, the threats by Europe of dividing the empire, all conspired to intensify the hatred of foreigners. At first, railway engineers and consular officers were slain as ruthlessly as missionaries. In the end, the missionaries who were killed were more numerous than other victims, because they were scattered through the interior of the country whence escape was impossible. The author involves the Buddhist priests heavily in the blame for the attacks on foreigners. One cannot but question whether his sufferings at the hands of the Buddhist Lamas in Tibet have not led him to judge too harshly of the priests in China proper. Apparently the sight of one (Vol. II., p. 248) fills him with such rage that he cannot resist the temptation to seize him by the neck and throw him out of doors.

He criticises severely, but not unjustly, most of the foreign ministers at Peking for being so reluctant to believe the warnings, given them at an early date by the missionaries, of the impending danger. He has many unfavorable comments on the British minister, Sir Claude MacDonald.

His careful narrative of the siege of the legations, arranged as a diary, is so minute and vivid, that one can hardly persuade himself that the author was not present. The great event will probably never be paralleled. The fortitude, bravery, and patience of the women as well as of the men will always make the siege one of the most memorable on record. The narrative of the siege of the French cathedral is one of the most thrilling chapters in the history of sieges, and is well told, mainly in the words of Bishop Favier, who was in the cathedral enclosure from the beginning to the end.

The characterization of the soldiers of the different nations furnishes some of the most interesting chapters. His commendations of the Americans are hearty, though he criticises the American commander for not studying enough the comfort of his men, especially in the choice of grounds for camping. Like all observers, he indulges in high praise of the Japanese for excellence of organization and bravery in action. His description of the Chinese regiment, which the British brought up from Wei-Hai-Wei shows that General Gordon was right in saying that with proper training and under good leadership the Chinese make excellent soldiers.

These volumes are so bulky and the interest in the long narrative is so well sustained that the author might well have omitted about a hundred pages of matter not immediately connected with his story. Several chapters are devoted to a journey which he made to a Trappist monastery in 1891, and several others to a sketch of the conquest of China by the Manchus and to a brief history of the Emperors for the last two cen-

turies and a half. Interesting in themselves these chapters treat of subjects remote from the main theme, and unduly swell volumes already quite large enough. The publishers have spared no pains to present the work in an attractive form.

JAMES B. ANGELL.

*La Méthode Historique appliquée aux Sciences Sociales.* Par Ch. Seignobos, Maître de Conférences à la Faculté des Lettres de l'Université de Paris. (Paris, Alcan, 1901, pp. ii, 322.) This little book, the outgrowth of a course of lectures given at the Collège Libre des Sciences Sociales at Paris, falls into two parts of about equal length. The first is a general account of the processes of historical criticism and historical synthesis, and thus covers much the same ground as the *Introduction aux Études Historiques* of Langlois and Seignobos. The presentation is, however, simpler and clearer than in the *Introduction*; the doctrine is more carefully worked out at some points, as in the distinction between legal and historical evidence and between the methods of the natural and those of the social sciences. The illustrations, too, are chosen mainly from the fields of the economist and the statistician, and much that would interest primarily the historian is omitted. The second part deals with the application of historical method to *histoire sociale*, by which the author means the history of economic and demographic facts and theories. To M. Seignobos history is not a science; there is no body of facts which are by their nature historical; things become historical only by virtue of being indirectly, or historically, known. History is only a method, but it is a method which is absolutely fundamental for the social sciences, since by far the greater portion of their materials, even when contemporary, comes to the investigator indirectly, as the result of others' observation, and since the phenomena of the present cannot be understood without taking account of their evolution from the past. The difficulties of method and subject-matter which have retarded the development of economic history till it lags behind all other branches of history, are examined in a series of chapters which consider at some length the nature of the subject and its relations to other fields of historical study. The author distinctly rejects the so-called materialistic conception of history. The economic facts are not fundamental; the form of production does not determine political organization or intellectual and social life, but is rather determined by them. "Economic history can be understood only by the study of the other branches of history; it is only a fragment of the general history of humanity." The second part of the book is addressed more directly to students of social science than to historians, but the subjects treated are closely related to the general field of history, and the discussion is so fresh and original and contains at the same time so many sound observations that it deserves to be widely read. The volume should certainly be translated into English.

C. H. H.

*The Handy Dictionary of Biography.* By Charles Morris. (Philadelphia, Henry T. Coates and Co., 1901, pp. 607.) The writer of this volume is probably right in saying that a short biographical dictionary is likely to prove useful where a comprehensive series of bulky volumes cannot be used or is not attainable. And in all probability a book containing information about persons who are still living, and who have won recognition in our own day, has its interest and its value for the reader and the student. But to prepare such a work is a difficult and serious task; the selection of names that are properly included, and above all the omission of those that cannot be given space, call for judgment, discrimination and wide knowledge, while scrupulous accuracy—always to be desired—seems especially necessary, when only the most essential facts can be given. So onerous is the burden of preparing such a work that one hesitates to criticise with severity. Neither absolute freedom from error nor perfect discretion in choice of subject can be demanded. We can justly challenge, however, the wisdom of omitting such names as George Rogers Clark, Peter Cooper, John Winthrop and Adoniram Judson, when space is found for scores of others who by no criterion can be judged so worthy of treatment. If William Penn merits a page and a half, a few lines, it would seem, could be given Frontenac, or Charles or Thomas Pinckney. Great as was the influence of Thomas Paine on the American Revolution it seems scarcely right that he should have ten times the space of Richardson or Sterne. Mendelssohn and Bach together are allotted less than one-fifth the space occupied by Wagner. It does not seem hypercritical to object to assigning as much space to Quay as to Aristides, and the same consideration to Tweed and to Themistocles. Cleon's name has been omitted altogether. Surely Vercingetorix is no more important for modern readers than Vergennes who is not mentioned at all.

To speak definitely concerning the accuracy of the volume is impossible. On the whole it seems fairly accurate; but there are a number of somewhat serious errors suggesting that diligent search would detect more. To say the least the treatment of the Cabots does not tally with the results of latest research. The writer may not know that the orthodox Puritanism of Miles Standish is in doubt. The narratives of the lives of Clay and Jackson need thorough and radical revision. Cass did not move with Hull into Canada in 1817. Calhoun did not graduate from Yale in 1802, nor retire from the Senate in 1833 to be appointed "the next year" Secretary of State under Tyler; to say that he signed the treaty for the annexation of Texas, while literally true, is very misleading. Monroe was sent to France in 1803 not in 1802. The names McClellan, McMaster, McPherson and others are not correctly spelled.

*My Autobiography, A Fragment.* By Professor F. Max Müller, K.M. (New York, Charles Scribner's Sons, 1901, pp. x, 318). Max Müller is always entertaining. When one is not laughing at his vanity one can find a rich store of quaint stories in what he writes. *Auld Lang Syne*

gave a taste of the author's amusing garrulity, and this book is a continuation of *Auld Lang Syne*, for the fact that it is an autobiography is unimportant. *My Autobiography* retails a quantity of anecdotes and when the author is not meditating on his own greatness, he is just as interesting telling bits of Oxford gossip. Valuable is the picture of Oxford as it was, or is, for the author seems to be uncertain whether any change has taken place. But if it has not changed, one wonders why it is called a university. According to Müller's statements, not even the classics were understood, and the boys (one can scarcely call them men) came up unable to read at sight a line of Latin or Greek. The professors' lectures were never attended, because the boys were interested only in the tutors who crammed them for the examinations which they themselves subsequently held. This chapter on Oxford life reads like a malignant caricature, but it must be true. Another on German university life sixty years ago, though not offering anything particularly new, yet gives a vivid sketch of past conditions. The rest of the volume is what might have been expected from the author, personal reminiscences, which here and there cast a fresh light on some of his contemporaries. The whole is marred, however, by the marvellous conceit of the author and by his unpleasant attitude toward the "bishops, archbishops, judges, ministers, and all the rest" who condescended to be friends with him. He naturally "at first felt awkward" in the presence of an archbishop who "had an income of ten thousand pounds a year," but it is pleasant to learn that he "never made the archbishop blush for him." As a whole the book gives rather a pitiable exhibition of a great scholar's decadence, but as chit-chat it is readable and the two chapters already mentioned have some historical interest.

E. WASHBURN HOPKINS.

*A Short History of the Greeks, from the Earliest Times to B. C. 146.* By Evelyn S. Shuckburgh. [The Cambridge Series for Schools and Training Colleges.] (Cambridge University Press, 1901, pp. xxiv, 388.) The author is already well and favorably known by his translation of Polybius, and the manual of Greek history which he now adds to the large number already existing is distinguished from the others by the space and dignity and interest which he gives to that period of Greek history which lies between the meteoric career of Alexander and the absorption of Greece into the Roman empire. Here, of course, Polybius is our main source. Perhaps, under the circumstances, the proportion (74 to 299 pages) of the work allotted to this period might have been even larger, without lessening the usefulness of the whole. The story of Greece from the Persian wars to the death of Alexander has been told so often and so thoroughly that the interest of both teachers and pupils is apt to be deflected from the really more important periods of juncture between Oriental and Greek history, and between Greek and Roman history.

Another excellence of this new manual is its successful illustration of



“the political life and intellectual activities of the Greeks wherever they lived, not only in Greece proper, but in the larger Greece of Italy, Sicily, and Asia.” This has been the tendency in all the better manuals of Greek history since the great work of Holm, notably in those of Bury and Botsford. On the whole, the author has successfully resisted the temptation which besets all who would tell the story of the Hellenes, and has not given Athens an undue share, nor allowed the Peloponnesian war to subtend as large an angle of his mental vision as it did for Thucydides its historian.

Over-conservatism, even in a school manual, is shown in many places. The Pelasgians, since Professor Ridgeway's epoch-making article in the *Journal of Hellenic Studies* for 1896, are entitled to more notice than they get in the passage dealing with the earliest inhabitants of Greece. The Homeric question is treated in an antiquated manner. The “affair of Cylon” is still put after the legislation of Draco, in spite of Aristotle, Busolt, and J. H. Wright. Themistocles is made one of the generals at Marathon, for which there is not a particle of good evidence. In general, the Herodotean adoption of current Athenian sentiment about the time of the outbreak of the Peloponnesian war is not sufficiently discounted or corrected. In a word, the nicer details of such a manual are carelessly and perhaps hurriedly done. The plan and perspective and scope of the book are the features which will commend it; they give it, perhaps, a reason of being.

BERNADOTTE PERRIN.

*Demosthenes on the Crown, with critical and explanatory Notes, an Historical Sketch and Essays.* By William Watson Goodwin. (Cambridge, University Press, 1901, pp. ix, 355.) The list of really noteworthy editions of Greek authors by American scholars is not a long one, and it is a pleasure to say that Professor Goodwin has added to it in a manner worthy of his high reputation. Many of those who have been familiar with his lucid and scholarly exposition of the legal and public antiquities of Athens have long wished that he would edit some of the masterpieces of Greek oratory, and it is to be hoped that this edition of the Oration on the Crown may be followed by others. This is not the place for a detailed consideration of the text and notes, but it may in general be said that in this part of his work Professor Goodwin shows the sanity of judgment and the power of simple and clear statement which is so characteristic of all his work. As a single instance of such judgment one may note the omission of *δεῖ* after *ἀφαιρῆσθαι* in § 13. Surely this has been long enough retained in our current texts. To readers of this REVIEW the feature of the book which has perhaps an especial interest is the excellent historical sketch from the accession of Philip of Macedon to the battle of Chaeronea. The complicated series of events without an understanding of which it is impossible to follow the oration intelligently is here placed before the reader in a manner that is at once clear and concise. Professor Goodwin has small sympathy with



the view which would make the policy of Demosthenes an unwise one, a mere foolish, even though high-minded, struggle against the inevitable supremacy of Macedon. He believes that Demosthenes as a true patriot could only defend to the death the great traditions of Athenian liberty.

The historical sketch is followed by short essays on various topics suggested in the oration. Of these the most generally interesting is probably that on the *γραφὴ παρανόμων*, the legal process involved in the oration, and the analogy between this form of procedure and the method by which certain courts in this country may pronounce upon the constitutionality of legislative acts is clearly brought out. In essay VI., and in connection with § 129 of the oration, Professor Goodwin suggests as probable the identification of the statue at Athens, representing a Scythian bowman (Kabbadias, Catalogue No. 823) with the figure on the stele described by Lucian (*Scyth.* 2). It may, however, be noted that this statue is one of two (see Catalogue No. 824) which were originally used as architectural members on either side of a tomb, the two figures showing a left and right correspondence with one another. Lucian says of the Scythian's figure *ἐπὶ τῇ στήλῃ ἐρεκκόμενον*, an expression which it seems difficult to think was used of the statue in question. The volume ends with a short description of the manuscripts of the Oration on the Crown and with a brief discussion of stichometry as it appears in the manuscripts of Demosthenes.

J. R. WHEELER.

The sixth *Abtheilung* of Volume VIII. of Dahn's *Koenige der Germanen* (Leipzig, Breitkopf und Härtel, pp. vi, 374) deals with subjects of more general interest than some of the earlier parts—the general character of the Carolingian state and royal power, the imperial office and power and the theocratic ideas of the time as affecting empire and papacy. Dahn's views concerning the revival of the title Emperor of Rome in 800 are well known and have been very generally accepted. The idea of such a revival he considers an outgrowth of the theocratic and Romanizing tendencies of Charles's literary friends of which the chief representative was Alcuin and from this source it passed to Charles. At Paderborn in 799 the Pope became convinced that the revival was inevitable and, though his interests were opposed to the plan, he resolved to forestall the action of the court in order to gain as much as possible from what he could not prevent and to make the title seem his gift. The section devoted to the theocratic ideas of the times and their consequences, though comparatively brief, is full of interesting suggestions as is also the section on the survivals of popular freedom in the Carolingian state. *Abtheilung* VI. completes the eighth volume and the institutional history of the Franks, and Dahn is to be congratulated on finishing another stadium of his long work begun more than forty years ago.

The old Gesellschaft für nützliche Forschungen at Trier (Trèves) has just celebrated its hundredth birthday by putting forth an exceedingly interesting work. It is a reproduction of the Psalter of Archbishop Eg-

bert, better known as the *Codex Gertrudianus in Cividale*. The beauty of this unique manuscript has long been known to specialists; but its strange and romantic history is now first revealed, and throws a new and somewhat startling light both on the ecclesiastical relations of West and East and on the development of medieval art. Egbert of Trier (977-993) was one of the most eminent patrons of the budding art of his time; and it was, as now appears, the monks of the old Swabian Abbey of Reichenau, the earliest center of German pictorial art under the Saxon Emperors, who prepared for the prelate this masterpiece, thus paving the way, by the emulation it kindled in its new home, to the rise of that West-German school, at Trier and at Echternach, of whose bloom in these days of the Ottos so many evidences have of late been coming to light. Straying then far eastward by channels still only conjectural, the book next appears in Russian keeping; and the pictures and prayers added to it by Slavic craftsmen give vividness to an almost forgotten scheme of Pope Gregory VII. for winning to Latin obedience the House of Kiev and its realm. Dark again and devious is the volume's route from the Russian Grand-Princess Gertrude to the saintly hands of Elizabeth of Thuringia, its next demonstrable possessor. But one journey remained; and how by gift it passed from St. Elizabeth to the cathedral church of her uncle Berthold in Cividale, the ancient capital of the Lombard dukes, is told by the manuscript itself. That such a volume, bearing on its pages the stamp of all these vicissitudes, is made accessible to study, though only by photography and in extract, is an event of moment. And the able scholars who have chosen from its portraits, its ornamentation, its text, that best deserving reproduction—Librarian, Dr. Max Keuffer, of Trier, who contributes the introduction, Dr. H. V. Sauerland, the Lotharingian historian, who tells of its story and its liturgical make-up, and Dr. Arthur Haseloff, who deals with its art—have added much to its value by including in their treatment, both in text and illustration, the whole calligraphic activity of the period.

G. L. B.

*Francis and Dominic and the Mendicant Orders.* By John Herkless, D.D. [The World's Epoch-Makers.] (New York, Scribner, 1901, pp. 237.) This is a popular account of the life and work of the two saints, followed by chapters on "Progress of the Orders," "The Mendicants and the Inquisition," "The Mendicants and Scholasticism," and "The Degradation of the Orders." The author writes sympathetically and lovingly of St. Francis, and points out his influence upon the trend of modern thought. The book as a whole, however, is lacking in interest and is written without sufficient care. We fear that at times the average reader may receive an entirely false impression, due to the carelessness with which the book is written. It is significant too that for the Inquisition the author quotes Llorente and Mosheim, and not Lea and Molinier. The bibliography given at the end is inadequate and unsatisfactory.

Professor Lodge has added in his *The Close of the Middle Ages* (New York, The Macmillan Co., pp. xi, 570), another somewhat dreary sketch of political events to the somewhat juiceless series known as "Periods of European History." He confines himself to the period 1273-1494. His chronicle is but slightly more philosophic than one of the ninth century, and he shows that extraordinary partiality for proper names which one finds in the Catalogue of the Ships or in an Icelandic Saga. To judge from the index Professor Lodge has found occasion to mention within the modest compass of his volume upwards of a thousand proper names. Obviously if the capture of the fortresses of Elna and Girona, "both after an obstinate resistance" by Philip le Hardi and the fact that Giovanni the third son of Sixtus IV.'s brother succeeded Lionardo an older nephew as prefect of Rome and married the daughter of Federigo da Montefeltro—if all events of similar importance must at least be mentioned in a small volume covering over two centuries of European experience no wonder that there is no room to say anything of European progress except in a most perfunctory chapter upon the Renaissance at the end of the volume, entirely uncorrelated with the rest of the book. Those familiar with Professor Lodge's gloomy *Modern Europe* will find that his conceptions of the function of an historian have been in no way modified by the current discussions in Germany and France as to the proper scope of general history nor by the recent contributions to economic history.

J. H. R.

*Savonarola.* By George McHardy, D.D. (New York, Charles Scribner's Sons, 1901, pp. vii, 273.) That the life of the great Dominican has proved a source of perennial interest may be largely due to the fact that the motives of his rebellion against Rome have been so variously conceived. As he was originally forced into the group of "Pre-Reformers," much controversy was necessary to extricate him from an association with the great schismatics of the following century. The later literature has mostly concerned itself with his attitude toward Alexander VI. Apart from this consideration, however, in respect to which it is obviously impossible for the partizans of Villari and of Father Lucas ever to meet on a common ground of agreement, the undaunted courage of the man and his ingenuous audacity in seizing the reins of Florentine affairs in the lapse of Medicean rule are sufficient to establish the attractiveness of his personality, even in a period when strong personal attributes were by no means uncommon.

Mr. McHardy has contributed to this body of literature, already so considerable, a sympathetic and entertaining biography of Savonarola. The writer does not undertake to present new views of his subject otherwise than by a careful review of such material as has been already presented. He has read his Villari, his Creighton and his Pastor, courageously made a perusal of "Romola," and dipped into the polemics of Father Lucas, although his acquaintance with the Innsbruck historian

seems to have had little effect beyond a stimulation of the critical impulse.

Mr. McHardy's book departs in no essential particular from the traditional treatment of his subject. He accepts at their face value the hackneyed characterizations of Roman turpitude which have passed current for centuries and are a part of our inheritance from the embittered controversies of the theological period. To speak, for example, of "the tide of pollution that was flowing from the metropolis of Christendom," is to use a formula which possesses no merit but such as may arise from long usage; it is to look upon that great clearing-house of the business of the Christian world with the eyes of a rustic monk, who thought to find the Roman pontiff with the bare feet and the simple garb of an oriental fisherman; or to estimate an advanced type of life with the mental vision of a medieval man, with whom luxury was a synonym for vice. Such careless statements, of which there is no lack in Mr. McHardy's book, are perplexing and discouraging in recent times, when such an abundance of material is at hand to show what were the real shortcomings of the Roman See and that such words as "pollution" are to be used only after the manner of journalistic hyperbole.

In his first chapter, "The Age and the Man," Mr. McHardy has followed the approved method in setting the scenes for his tragedy. His sketch of the Renaissance is a close following of current estimates, a quagmire between two highlands of faith—a not uncommon view of the period, when one accepts as epoch-making the escapades of naughty dukes and princes, and leaves out of account the more permanent and substantial elements of society. But to fall into epigram and to argue that "the decline of faith meant the renewal of despotism, as it always will" is an application of a system of ready reckoning to the solution of historical problems which would simplify wonderfully the historian's task, if it could be relied upon to work in all emergencies.

MERRICK WHITCOMB.

*The Report of the Historical Manuscripts Commission on the papers of Mrs. Frankland-Russell-Astley of Chequers Court, Bucks* (London, Eyre and Spottiswoode, 1900, pp. xx, 370) shows that this collection is chiefly rich in material on the life and history of the Russell branch of the Cromwell family. In addition, however, it contains some rather valuable bits of information on the public affairs of the period which it covers. Mrs. S. C. Lomas, the author of the report, also furnishes the introduction, in which the contents of the documents calendared are adequately described and their respective importance justly estimated. They are grouped for description under three heads. The first group consists of the Russell and Frankland correspondence pertaining, for the most part, to the years 1657–1697: it is chiefly of a private, family nature, with Frances Cromwell, daughter of the Protector, as the central figure of interest, although there are, in the correspondence of Sir William Frankland, several interesting notices of the Yorkshire elections of

his time. The Cutts and Revett papers, 1687-1708, which comprise the second part of the collection, furnish some details on the early movements of Marlborough in the war of the Spanish Succession. Unfortunately, however, there is nothing on the campaign of 1704. The third and last series is made up almost exclusively of letters from Lieutenant Colonel Charles Russell, who served on the continent as an officer in the Coldstream Guards during a greater part of the war of the Austrian Succession. His pictures of the daily routine life of the army are graphic and detailed, and, allowing for the fact that he is apt "to show the bright side of the shield" too much, yield new and valuable information on this subject. He also makes occasional comments on the conduct, character and policy of those in authority, and the relations between the English and the allies. His references to Colonel Braddock will be interesting to students of the latter's ill-starred American campaign of 1755. Among the documents calendared in the report, which are not included in the above three groups, the most notable is the note-book of John—afterwards Sir John—Croke, M.P., recorder of London, and, in 1601, Speaker of the House of Commons. Particularly full abstracts are given of his speeches to Queen Elizabeth and King James. A very complete index makes the contents of the volume easily accessible to those having occasion to consult it.

ARTHUR L. CROSS.

Dr. Oscar S. Straus has published a second edition of his book, *The Origin of Republican Form of Government in the United States of America* (New York and London, G. P. Putnam's Sons, 1901, pp. xli, 151). The first edition of the book appeared in 1885. The interest aroused by its theory of the origin of the American form of government justifies the present corrected and revised edition to which an introductory essay by Émile de Laveleye, written for the French edition, is added. With the exception of this addition and of a more conservative statement in the closing pages of the thesis defended by the author, the present varies little from the original edition. A few errors reappear in the present revision: John Lansing (p. 139) is said to have advocated the adoption of the Federal Constitution in the New York convention, but the speech quoted by Mr. Straus from Elliot's *Debates* is consistent with Lansing's general attitude and stoutly maintains the opposite view; the year 1819 (p. 64) is given as the date of the final separation of Church and State in Connecticut instead of 1818. The author (p. 3) holds to the traditional classification of the forms of colonial government into royal, proprietary and charter which Professor Osgood has shown to be essentially wrong.

Mr. Straus does not claim "that the structural parts of our form of government were derived from what was believed to be the components of the Hebrew Commonwealth, but only that this scriptural model of government . . . had a deep influence upon the founders of our government." Unquestionably the political thinking of the early Puritans was profoundly influenced by the Old Testament, but that the framers of our

present Constitution were similarly influenced is far from being proved by the author and the development during the eighteenth century by all the colonies, Cavalier as well as Puritan, of essentially the same form of government cannot be sufficiently accounted for by Mr. Straus's theory. Nevertheless the book performs a valuable service in emphasizing an important but often neglected factor in the development of American government.

MARSHALL S. BROWN.

*The Declaration of the Rights of Man and of Citizens.* A Contribution to Modern Constitutional History. By Georg Jellinek. Authorized translation from the German by Max Farrand. (New York, Henry Holt and Co., 1901, pp. 98.) This scholarly essay, whose author is one of the most eminent of modern German constitutional authorities, well illustrates the thesis expressed in its preface; that an adequate comprehension of the ideas contained in the law of the modern state demands a study of progressive institutional history. Professor Jellinek develops in an able and convincing manner the idea that, in the English historical conception of the rights of the individual, these rights "rest simply upon the supremacy of law—they are law, not personal rights." He ascribes to the Puritan settlers of New England the first historical and practical application of the two great political principles; that certain rights are inherent in the individual and are not derived from law and that government is the result of compact. First applied by the Congregationalists in the choice of a form of church government as an inherent right, the former principle was embodied by Roger Williams in the laws of Rhode Island, and the inherent right of soul liberty thus recognized led logically to the claim that in other departments of life man possessed rights not conferred by law or charter. The latter principle was incorporated in an instrument of government for the first time in human history in the Mayflower Compact and in the Fundamental Orders of Connecticut. These two conceptions, the author continues, gradually in the course of political development became generally accepted in the colonies and formed the essential bases of the Revolutionary state constitutions.

Professor Jellinek proves by parallel citations from these constitutions and from the French "Declaration of the Rights of Man and of Citizens" that the principles thus historically developed in the American colonies were taken directly by the Constituent Assembly from the bills of rights of Virginia and other American states and were not derived from Rousseau's *Social Contract*. Historical accuracy, a remarkable grasp of the principles of political philosophy and logical and lucid expression unite to make this little book a work of unusual merit. Professor Farrand's translation is exceptionally good.

MARSHALL S. BROWN.

*Arnold's Expedition to Quebec.* By John Codman. (New York, The Macmillan Co., 1901, pp. ix, 340.) This book covers not only Arnold's expedition to Quebec but the military operations that oc-

curred there up to May 6, 1776. It is evidently the work of an intelligent, well-meaning amateur. The sources indicated by Winsor and some other sources have been used—uncritically; but a large amount of important material appears to have been overlooked. It is an error to say that Topham's journal has never been printed. Dearborn's though apparently used is not in the list. It would have been well to mention that the portion of Thompson's journals referring to this time has been lost. Montresor's journal and Goodwin's maps—invaluable to Arnold—are not alluded to. The really difficult questions, such as the genesis of the expedition and the place where the height of land was crossed, are not attacked, or, like the fortifications of Quebec and the assault, are not conclusively treated. No references are given, and theories are often indistinguishable from facts. A few instances will show how accurate the book is. It gives a full-page picture of the great fall of the Chaudière, less than four miles above the Du Loup, to show where Arnold was wrecked (p. 110); but Arnold's journal puts nearly 60 miles between this mishap and the Du Loup. Of Meigs's division on the "Chain of Ponds" we read: "They passed over the first lake two miles to a narrow gut two rods over, ['then entered another small pond about a mile over,'—Meigs], then poled up a narrow strait one and a half miles long; then passed over a third lake, etc." (p. 77); but the words that I have added in brackets are demanded by Meigs's journal, by the facts, and by the word "third." The sentence contains several other errors that I lack space to point out. Mr. Codman speaks of Arnold's men as gathering to cross the St. Lawrence in a "cove of the Chaudière under cover of the mill" (p. 143) owned by Caldwell (p. 134), and says the noise they made was drowned by the "thunder" of Chaudière Falls (p. 143); but the seigneurie of Lauzon, which included the mill, was merely *leased* by Caldwell in 1775, the mouth of the Chaudière was three miles southwest of the mill, and the falls are two and a half miles south of the mouth. The picturesque aspects of the expedition are not wholly ignored, but is it not rather strong to represent the soldiers as hacking down "the giants of the forest" with hunting-knives (p. 58)? The political side of the subject is very inadequately treated; for example, Briand, who worked as hard and did almost as much as Carleton for the British cause, is not even mentioned. It seems odd to find our troops frequently called *rebels*. Only one map illustrates the route, and it is both incorrect and hard to read.

JUSTIN H. SMITH.

*The Civil and Military List of Rhode Island*, compiled by Mr. Joseph Jencks Smith, is intended as a complete register of the names of all officers elected by the general assembly from the organization of the legislative government of the colony in 1647 to 1800. Mr. Smith states that the book is the result of a desire to place in some tangible form the names of the early settlers and their successors who were honored by election to civil and military office. Such a compilation the author as-



sumes will be of interest and value to the descendants of those who are mentioned in its pages. This is true, but perhaps the chief value will be found in its serviceableness to investigators and historical writers. To be able to turn in a moment to a complete and separated list of the colony or state officers for a given year is of distinct advantage, for it both lessens the labor of reference and insures greater accuracy.

The history of Rhode Island from 1647, the date of the organization of Providence Plantations, to the beginning of the eighteenth century is peculiarly complex, and its examination is facilitated by a volume like the present which enables one to take in at a glance the scheme of government in its legislative, executive and judicial branches as it evolved and dissolved and then evolved again. From the early part of the eighteenth century to the period of the Revolutionary war the list consists largely of the names of those appointed to office in the militia, a branch of the public service in which Rhode Island was particularly strong. With the opening of the Revolutionary period the delegates to the Continental Congress—Stephen Hopkins and Samuel Ward—are mentioned, also the committee of public safety, and in June, 1775, the officers of the colony's navy—likewise a branch in which exceptional strength was shown by Rhode Island.

The publishers of the *Civil and Military List* have made an attractive volume. The paper is good and the print is clear and large. The book however is open to one criticism. The index contains only the last names of persons mentioned, and by reason of this a great burden is imposed upon the investigator. If his search is for Major Christopher Smith, he must look through a list of some 234 Smiths in order to make sure that he has not missed a reference. There is a special index to officers in active service during colonial and Revolutionary war periods, and one to independent chartered companies of militia in the order of charters received.

I. B. R.

*The Early Records of the Town of Providence*, Vol. XVI., printed by the Record Commissioners under the authority of the City Council (pp. 534), contains the contents of "Will Book No. 2," from 1716 to (practically) 1726. The most conspicuous part of the contents consists of the inventories of nearly a hundred estates. These, with the aid of an elaborate index to all the household articles and other bits of property mentioned, give a good picture of the domestic life of a prosperous colonial community. Only fifty-five out of ninety-five of these minutely detailed inventories mention any books. One decedent possessed a hundred, another seventy-eight; but most had only a few. The Bible, Coke upon Littleton, and "a booke Called Dalton" (Dalton's *Justice*) are the only ones specified. The text of the records is not annotated; but there are, beside the index of things, mentioned above, a general index to names and an index to Indian names.



*A Landmark History of New York.* By Albert Ulmann. (New York, D. Appleton and Company, 1901, pp. viii, 285). This is another attempt to tread in the footsteps of Lossing, while rewriting the history of Manhattan Island. It may be said at once that few important episodes are omitted, and that few inaccuracies have been detected. In pursuance of his plan the author has introduced photographs of tablets and of existing sites, and has furnished reproductions of maps and various data. In treating his subject chronologically he conducts his readers up and down the island, pausing *en route* to examine the particular landmarks around which the bit of history revolves. There are necessarily some repetitions in this plan, but it is probably preferable to the opposite way of, for instance, exhausting lower Broadway and then passing up the east side. Thus with his object lessons before him he sketches the colonial Revolutionary and later history, showing good appreciation of the strategic points, and acquaintance with the results of recent investigations. At the end is an account of the "origin of street names," followed by useful classified bibliography.

But when this has been said in favor of the work, it cannot counterbalance the fatal handicap of the literary form. This is no other than the ancient and weather-beaten device of postulating three children desirous of local information, whose wants are supplied by a "professor" of encyclopaedic attainments. The unfortunate victims are transported by the elevated to diverse historic sites, halt like Cook's tourists in front of tablets and buildings, and listen—with comments—to the résumés, anecdotes, and philosophy poured forth inexhaustibly by the conductor. In real life this time-worn system would be ineffably wearisome. In a pretended historical work the method is undignified and farcical. Such a treatise is like our elderly acquaintances the Rollo books, without their naïveté. Why this device is adopted by reputable writers for "young readers" or older readers passes comprehension. "Thus ended the battle of Golden Hill, a fight for a principle, in which the first blood in the War of the Revolution was shed. 'Was that before the Boston massacre?' asked George. 'Nearly two months before, and it was much more important affair.' 'Hurrah for New York!' shouted Tom. The professor smiled at Tom's enthusiasm" (p. 86).

Let us have our history, our travels, our stories "straight," or as straight as may be. Popularizing history is a laudable undertaking, but there is a limit to patience. It was bad enough when a recent novelist embellished his spirited account of the times of Caesar with such footnotes as: "*Consul.* The consul was one of the two chief magistrates in Rome." Are we to sink to the level where three Vassar girls challenged by Rollo's uncle will offer contributions to constitutional history while strolling along Pennsylvania Avenue or Chestnut Street?

EDMUND K. ALDEN.

The fourth volume of the *Public Papers of George Clinton, Governor of New York* (edited by Hugh Hastings, state historian, pp. x

874) presents material which covers a period of only nine months, beginning with September, 1778. A detailed estimate of a section of four hundred pages in the volume shows that more than one-third of the papers are neither addressed to Clinton nor written by him, that nearly, if not fully, one-half of the material comprises papers addressed to Clinton by his correspondents, while less than one-fourth of the space is occupied by the writings of Clinton. Moreover, many pages are needlessly filled with material which, although important in its proper place, is irrelevant or cumbersome in this work. The rather large amount of trivial or wholly foreign material which has been printed can be charged only to the absence of any exercise of editorial discretion. The series of volumes is merely a reprinting of certain bound manuscript volumes at Albany, with a blind adherence to the arrangement of the old volumes and with an evidently persistent purpose to reprint everything in them. The editorial policy seems beneficial chiefly to the state printer. The state historian contributes the enlivening head-notes, used also as a table of contents of 29 pages, with reference to which an earlier comment in this REVIEW (Vol. IV., p. 392) on the work of the same historian is still applicable. It is, however, due to him to state that for the volume of 874 pages he has contributed editorial notes aggregating 123 lines, all of which are weighted by the subscription of the editor's official title. The volume is decorated with a cheap print of Clinton's city residence and with seven portraits of Cornwallis and others, included here for no obvious reason. The absence of an index and of other means for making such material thoroughly useful, emphasizes the injudicious manner in which the funds of the state have been used.

A thorough and satisfactory monograph on the subject of *Redemptioners and Indentured Servants in the Colony and Commonwealth of Pennsylvania* has been prepared by Karl Frederick Geiser (New Haven, Tuttle, Morehouse and Taylor, pp. 128). It is published as a supplement to *The Yale Review*. While the author makes no pretense of writing the history of white servitude in the colonies in general, the work is of such a character that it necessarily covers in a systematic way the beginning and many of the developments of the system; it discloses facts and operative causes that must needs be true of other than the Quaker colony. In the chapter entitled "Historical Sketch of Immigration," the writer has brought together many significant facts; some of them have indeed appeared in secondary authorities before, but many of them have not, and gathered together here they tell an interesting tale of the importance of the system and its long duration. The author asserts that redemptioners continued to arrive as late as 1831; he also declares, on what seems to be unimpeachable evidence, that of 5,509 immigrants landing in Philadelphia between August 19th, 1786, and the end of 1804, over 3,600 were redemptioners. The manner and methods of transportation are also well described, the unattractive details reminding one of the horrors of "the middle passage." Perhaps especial attention should be called to the

author's definitions which are somewhat at variance with those usually found. "Generally speaking," he says (p. 6), "the indentured servants were those immigrants who, unable to pay their passage, signed a contract, called an indenture, before embarking, in which they agreed with the master or owner of the vessel transporting them 'to serve him or his assigns' a period of years in return for passage to America . . . The redemptioner, strictly speaking, was an immigrant, but on embarking agreed with the shipping merchant to be transported without an indenture and without payment of passage, and on landing in America to be given a short period of time in which to find relatives or friends to redeem him by paying his passage." If the immigrant failed of securing redemption he could then be sold in payment for his passage. The monograph is a valuable addition to the literature of colonial history, and fortunately, although sense is never sacrificed to rhetoric, it is written in good, forcible, simple English. A good bibliography and appendices containing forms of indenture, etc., add to the usefulness of the book.

*The Arrow War with China.* By Charles S. Leavenworth, M.A. (London, Sampson Low, Marston and Co., 1901, pp. xiv, 232). Mr. Leavenworth, who is Professor of History in Nanyang College, Shanghai, has done a service to students of Oriental history. He presents a detailed study of an important epoch in the history of diplomatic intercourse between China and the powers of Christendom. Whatever criticisms may be made regarding the author's faults of style, which are by no means few, or regarding his method of presentation, which is at times confusing, the value of the book must be recognized. Beginning with the seizure by the Chinese authorities of the crew of the "British" vessel "Arrow" at Canton in October, 1856, the book deals with the events leading to the drafting of the treaties of Tientsin, the refusal of the Chinese authorities to ratify these treaties in the manner demanded by Great Britain and France, and the failure of the "British" in the attack on the forts at the mouth of the Peiho. It was on this occasion that Commodore Tatnall, U. S. N., made his now famous remark, "blood is thicker than water," and went to the assistance of the British. The story ends with the ratification of the treaties of Tientsin in October, 1860, after the allied forces had fought their way into Peking, rescuing European officials who, though under a flag of truce, had been captured and imprisoned by the Chinese. The facts are given with impartiality and the vital connection of the various phases of the Chinese question is clearly displayed. Mr. Leavenworth's temper is thoroughly sane in regard to the never ending debate between the party advocating aggressive assertion of European claims to the control of China and the party which looks with favor on the efforts of the Chinese to determine their own destinies and, if necessary, in the last analysis to exclude all foreigners from China; he is not a partizan of either side, and apparently believes that the reform party in China may some day accomplish its purpose; at all events, he

denies wisdom to the policy of a general partition of the empire between the foreign powers, even were such a proceeding possible, which it most certainly is not. In the study of the problem of Asia as a contemporary political question so much is to be learned from history that any endeavor to inform the student as to previous conditions is most welcome ; many of the events of 1900 might have been foretold from knowledge of those of 1856-1860 ; and the continuity of the Chinese question must be clearly understood for historical investigation or diplomatic negotiation. These points are enforced by the reading of Mr. Leavenworth's little book. A well selected bibliography and careful citation of all authorities add to its usefulness.

ALFRED L. P. DENNIS.

## NOTES AND NEWS

John George Nicolay, joint editor with John Hay of the well-known *Abraham Lincoln, A History* (1886-1890), died on September 26, at Washington, D. C. He was born in Bavaria in 1832, but came to this country when a child and grew up in Illinois, where he became at an early age the editor of a paper. From 1859-1865 he was one of Lincoln's secretaries. He was later consul at Paris and then marshal of the United States Supreme Court. His historical writings include, in addition to the work mentioned above, *The Outbreak of the Rebellion* (1881), and Lincoln's *Complete Works* (1894).

Simon Sterne, a prominent writer on jurisprudence, died at New York, September 22. He was born in Philadelphia, July 25, 1839. He was educated at Heidelberg and the University of Pennsylvania, was editor for a time of the *Commercial Advertiser* and after 1870 practiced law in New York. Among his writings are volumes on *The Constitutional History and Political Development of the United States* and *Representative Government and Personal Representation*, besides a number of contributions to Lalor's *Cyclopaedia of Political Science*.

The leading article in the *Old Northwest Genealogical Quarterly* for October, is an illustrated sketch of the late B. A. Hinsdale by Prof. S. C. Derby.

We are able to announce a proposed biography of Professor Moses Coit Tyler. The work has been undertaken, at the wish of the family, by Professor George L. Burr. It will not be completed, however, for some time; not until the correspondence, journals and other papers, which are all under seal for a period of several years, become accessible.

In a new two-volume work, entitled *Studies in History and Jurisprudence*, Mr. James Bryce follows, through treatments of divers topics, the common thread of a comparison between the history and law of Rome and of England (Oxford University Press).

Mr. John Beattie Crozier offered, some five years ago, the first volume of a *History of Intellectual Development on the Lines of Modern Evolution*, carrying the subject to the closing of the Athenian Schools by Justinian. He now presents the third volume of this work, which deals with the nineteenth century, and explains that, owing to weakened eyesight, he was unable to do at this time the minute research necessary for the intervening period. Since the publication of this volume his course has been

[The department of Notes and News is under the general management of Earle W. Dow and Theodore C. Smith.]



somewhat changed. According to his present plan the next installment will deal with the evolution of Rome from the rise of the Republic to the fall of the Empire in the west (Longmans).

Dr. Helmolt's *Weltgeschichte* is to be issued also in English, with the assistance of Mr. James Bryce. The first volume is out; there are to be eight in all (Heinemann).

We noted in the last number that Professor Theodor Lindner, of the University of Halle, had written a little volume of historical philosophy, designed as an introduction to a history of the world since the Germanic invasions. This history proves to be planned on the scale of nine volumes; four for the period down to the middle of the sixteenth century, and five for distinctly modern times. The first volume, already published, pictures the rise of the civilizations of the east and west, which determined the later course of history (Stuttgart and Berlin, Cotta). Two other recent German undertakings in the field of world history may be mentioned here. The *Geschichte der europäischen Staaten*, begun under Heeren and Ukert and continued under Giesebrecht and under Lamprecht, now forms one part of a larger series, *Allgemeine Staatengeschichte*. The other parts are entitled *Geschichte der aussereuropäischen Staaten*, to include accounts of the United States, Japan, China, and numerous other countries; and *Deutsche Landesgeschichten*, in which four works already out are classified. *Weltgeschichte in Charakterbildern*, the publication of which was begun last October by F. Kirchheim, in Mainz, is to be composed of forty richly illustrated volumes. The titles of some of the numbers already issued give some idea of the plan: *Augustin. Der Untergang der antiken Kultur*; *Cavour. Italien im 19. Jahrhundert*; *Das Deutsche Volk und die Weltwirtschaft*; *König Asoka. Indiens Kultur in der Blütezeit des Buddhismus*.

The last number of the *Historische Zeitschrift* contains two noteworthy articles of general bearing: Otto Hintze, *Staatenbildung und Verfassungsentwicklung. Eine historisch-politische Studie*; Ferdinand Wrede, *Ethnographie und Dialektwissenschaft*.

Professor George L. Burr sends us the following communication: In the October number of the *English Historical Review* the Rev. George Edmundson, already known through his fruitful studies of the fortunes of the Dutch in South America, publishes under the title of "The Dutch in Western Guiana," a very careful paper on the beginnings of Dutch settlement in that region and especially on the worth of the testimony of Major John Scott. Those who have given most study to the question will best recognize the keenness and thoroughness with which he has sifted it, and at least one of those who have been most skeptical as to Scott's trustworthiness, while not convinced that all difficulties have yet been dispelled and while dissenting from more than one minor detail of Mr. Edmundson's argument, is glad to admit his success in reconciling Scott's statements with what is known to us from other sources and in showing those statements to be possible and even probable.

The occupation of Cyprus by England seems to be bearing fruit now in the field of historical study. Mr. G. Hackett offers the first connected story in English of the fortunes of the church of Cyprus: *A History of the Orthodox Church of Cyprus, A. D. 45 to A. D. 1878, together with some Account of the Latin and other Churches existing in the Island* (London, Methuen).

The work of scientifically investigating Eastern Asia shows signs of strength and re-enforcement. The École Française de l'Extrême Orient, established in Indo-China some two years ago and modeled after the French schools in Athens, Rome and Cairo, has begun the publication of a quarterly *Bulletin*, and it is reported that both Germany and Russia contemplate the establishment of similar schools in China in the near future.

A series of text-books in history, with the general title of "Essentials in History for High Schools," and prepared under the editorial supervision of Professor Albert Bushnell Hart, is announced by the American Book Company. There are to be four volumes, corresponding to the four divisions recommended by the Committee of Seven. Besides the editor, who writes the volume on American history, the contributors are Dr. Arthur M. Wolfson, of the New York high schools, for ancient history; Professor Samuel B. Harding, of Indiana State University, for the medieval and modern period, and Mr. Albert Perry Walker, of the English high school, Boston, for English history.

Interest in questions of teaching seems to be on the increase in England. In addition to a volume relating to instruction in various lines, we note, among the late issues of the Cambridge University Press, a little book of essays on the teaching of history. Messrs. Maitland, Gwatkin, Poole, Cunningham and Ashley are among the contributors.

At a meeting of the Association of Colleges and Preparatory Schools of the Middle States and Maryland at Syracuse, November 29 and 30, a call was circulated, signed by a number of instructors in colleges and secondary schools, for a meeting of all interested in history to consider the advisability of forming a permanent association. The meeting accordingly took place in the historical seminary room of Syracuse University, and after discussion it was voted to form an association of history teachers of the Middle States and Maryland. A committee was appointed to form a plan for permanent organization and call the first meeting. It consists of Professor J. H. Robinson, of Columbia, chairman, Professor Lucy M. Salmon, of Vassar College, Dr. J. Sachs, of New York, Dr. E. W. Lytle, of the Regents' Department of New York, Miss E. Brownell, of the Woman's College of Baltimore, and Professor D. C. Munro, of the University of Pennsylvania. Professor E. H. Castle, of the Teachers College, New York, was elected secretary and treasurer. It was proposed to undertake a careful investigation of the amount and kind of preparation furnished to teachers of history by colleges or normal schools, and required of them by school boards, principals and superintendents.

## ANCIENT HISTORY.

It is announced that a beginning will be made this year on the publication of the series of *Ancient Records* to be issued under the general editorship of President Harper, of the University of Chicago. This undertaking is divided into three parts: I. *Ancient Records of Assyria and Babylonia*, 6 vols., specially edited by Robert Francis Harper; II. *Ancient Records of Egypt*, 5 vols., by James Henry Breasted; III. *Ancient Records of Palestine*, by W. R. Harper.

We note the appearance in Germany of a new periodical of importance, *Beiträge zur alten Geschichte*, edited by Dr. C. F. Lehmann, of the University of Berlin, and published by Theodor Weicher, Leipzig. It will be concerned with both eastern and western peoples.

The first volume has appeared of a noteworthy work on Greek history, *Geschichte des hellenistischen Zeitalters*, in which Dr. Julius Kaerst endeavors to treat the subject less from the point of view of a relatively exclusive interest in the golden age of Greek culture than from the more general point of view of the development of a Hellenistic world-state and of a Hellenistic world-culture. The part already published is devoted to *Die Grundlegung des Hellenismus*, and closes with an account of Alexander's world-rule (Leipzig, Teubner).

The *Revue Historique*, beginning with the September-October number, has a series of articles by A. Bauer, giving an account of the publications in Germany and Austria, during 1898 to 1900, that relate to Greek antiquities. They are a continuation of similar accounts, for the period from 1882 to 1898, contributed by Bauer to previous numbers of the same journal.

*Les Institutions Juridiques des Romains* is the title of a considerable recent work by M. Édouard Cuq, of the law faculty of the University of Paris. It treats the subject from the point of view of relations with social conditions and with the progress of jurisprudence. Also, another member of this faculty, Monsieur P. F. Girard, offers the first part of a book in the same general field, *Histoire de l'Organisation Judiciaire des Romains*.

The studies of the last ten years in the field of Celtic archeology are reviewed by M. Joseph Déchelette in the *Revue de Synthèse Historique* for August.

Noteworthy articles in periodicals: Victor Bérard, *L'Étude des Origines Grecques*, concluded (*Revue Historique*, September); E. R. Bevan, *The Deification of Kings in the Greek Cities* (*English Historical Review*, October); V. Ermoni, *Les Phases Successives de l'Erreur Millénariste* (*Revue des Questions Historiques*, October); C. Carassai, *La Politica Religiosa di Costantino il Grande e la Proprietà della Chiesa* (*Archivio della R. Società Romana di Storia Patria*, XXIV. 1-2).

## MEDIEVAL HISTORY.

We are to have, from Mr. A. J. Butler, of Brasenose College, a history of the Arab conquest of Egypt. Though concerned primarily with



the actual invasion by the Arabs, it will deal with the whole of the reign of Heraclius in relation to Egypt, and will cover the period from 610 to about 645.

The *Notices Bibliographiques sur les Archives des Églises et des Monastères de l'Époque Carolingienne* which the late M. Arthur Giry had drawn up for his projected edition of Carolingian charters appear in the 132nd fascicle of the *Bibliothèque de l'École des Hautes-Études*. They contain numerous indications in regard to eighty-nine religious establishments that possessed such charters. Only a small number of additions have been made by the editors.

The second volume of the *Dawn of Modern Geography*, by which Mr. C. R. Beazley continues his history of exploration and geographical science through the period from the opening of the tenth to the middle of the thirteenth century, is now for sale (London, Murray).

Under the title *Opusculs de Critique Historique* Messrs. Fischbacher (Paris) purpose to bring out, at irregular intervals, a series of documents which will include, in some cases, pieces hitherto unpublished, in others, pieces that are now very rare or that are accessible only in poor editions. The series opens with the *Regula Antiqua Fratrum et Sororum de Penitentia seu Tertii Ordinis Sancti Francisci*, edited, for the first time, by Paul Sabatier. It is not the original text of 1221 that is here given, but one of a few years later, 1228 to 1230, in which the original is probably very little changed.

In order to facilitate reference to the Podocataro collection of historical and diplomatic documents, which is in the Biblioteca Marciana at Venice, M. Léon G. Pélissier is contributing a summary of its five-volume catalogue to the *Centralblatt für Bibliothekswesen*, beginning in the October number. The documents in this collection are important for the general history of Europe in the fifteenth century.

A catalogue of the manuscripts of the Royal Library of Belgium has been undertaken by the head of the manuscript department, J. Van den Gheyn, S. J. The first volume bears the sub-title, *Écriture Sainte et Liturgie*. There will be five or six volumes in all.

The useful *Bibliographie de l'Histoire de Belgique* of Professor Pirenne has just appeared in a second edition, enlarged by the addition of five hundred new titles and a number of notes and references (Brussels, Lamertin).

Noteworthy articles in periodicals: Ernst Sackur, *Ein römischer Majestätsprozess und die Kaiserkrönung Karls des Grossen* (*Historische Zeitschrift*, LXXXVII., 3); Thomas J. Shahan, *Catholicism in the Middle Ages* (*Catholic University Bulletin*, October).

#### MODERN HISTORY.

Dr. J. Paquier makes an important contribution to Renaissance history by his *L'Humanisme et la Réforme: Jérôme Altandre (1480-1529)*.

This volume, however, deals with only half the career of the many-sided Aleander (Paris, Leroux).

Mr. G. F. Chance has an article in the *English Historical Review* for October on "England and Sweden in the Time of William III. and Anne." It is intended to be introductory to others which will treat in detail of the relations of George I. with Charles XII.

Studies of the Napoleonic period have had, from the first of last November, the service of a special periodical, the *Revue Napoléonienne*. It appears every two months, under the direction of the Baron Lumbroso, and enrolls as collaborators more than a dozen prominent European scholars. By its plan it will have in each number something in the way of original articles, of unpublished documents, of reproductions of rare pieces and of bibliography. This last division is to include, in addition to the usual matter of its field, reviews of other than recent literature, so as to form in time an orderly general repertory for the use of investigators. Articles in Latin, English, German, French, Italian and Spanish will be accepted (Paris, Picard).

Noteworthy articles in periodicals: M. Rosi, *Nuovi Documenti Relativi alla Liberazione dei Principali Prigionieri Turchi Presi a Lepanto* (Archivio della R. Società Romana di Storia Patria, XXIV., 1-2); G. F. Preuss, *Oesterreich, Frankreich und Bayern in der Spanischen Erbfolgefrage, 1685-89* (Historische Vierteljahrschrift, IV., 4); Wilhelm Dilthey, *Das achtzehnte Jahrhundert und die geschichtliche Welt* (Deutsche Rundschau, August and September); Raymond Guyot, *La dernière Négociation de Talleyrand. L'Indépendance de la Belgique*, conclusion (Revue d' Histoire Moderne et Contemporaine, September).

#### GREAT BRITAIN AND IRELAND.

Messrs. Cassell and Company are bringing out an illustrated and carefully revised edition of *Social England*. There will be about 2,500 pictures and numerous colored plates, reproduced from authentic sources.

The present status of the study of the Gaelic literature of Ireland and the work that remains to be done are defined, at least in general lines, by M. G. Dottin in the *Revue de Synthèse Historique* for August.

It was inevitable that the recent millennial celebration at Winchester should be the occasion for the appearance of a large amount of literature concerning King Alfred and his times. Among the more general treatments the little book by the late Sir Walter Besant, *Story of King Alfred*, seems to be received with special appreciation.

It is reported that Messrs. Johnson, Crump and Hewes, of the Public Record Office, will bring out this winter, at the Clarendon Press, a new edition of the *Dialogus de Scaccario*.

The forthcoming volume of *Transactions* of the Royal Historical Society contains numerous texts of documents relating to the collection of Peter's Pence in England, drawn from the Vatican archives by Dr. O. Jensen.

The thirteenth volume of the publications of the Selden Society, a new edition of *Select Pleas of the Forest*, by G. J. Turner, will be of service in connection with one of the most difficult points in the history of English law. There is a long preface, a glossary, and indexes of subject names of persons and names of places.

The first and the final volumes of the series by which it is proposed to make the rest of the Patent Rolls accessible are now out: *Patent Rolls of the Reign of Henry III., 1216-1225*; and *Calendar of the Patent Rolls, Edward IV., Edward V., Richard III., 1476-1485*. It will be remembered that Sir Thomas Hardy, in 1835, printed in full the Patent Rolls of John's reign, the earliest extant. This course is to be continued for the reign of Henry III.; those after that are to be simply calendared.

Mr. J. E. Morris is the author of a study of the wars of Edward against the Welsh, based especially on unpublished documents. It is of considerable importance for the history of military institutions in the thirteenth century (Clarendon Press).

The latest volume in Mr. G. T. Warner's "English History Illustrated from Original Sources" embraces the period between the accession of Edward II. and the deposition of Richard II., 1307 to 1399. It is contributed by Mr. N. L. Fraser.

One of the late numbers in the "Heroes of Nations" is a biography of Owen Glyndwr, by A. G. Bradley. The volume opens with a sketch of Welsh history up to the end of the fourteenth century. Other new issues in this series are: *Edward Plantagenet, the English Justinian*, by Edward Jenks, and *Henry V., the Typical Mediaeval Hero*, by Charles L. Kingsford.

In the Rede Lecture for 1901 Professor Maitland devoted himself to the subject, *English Law and the Renaissance*. The lecture, with some notes, is now issued by the Cambridge University Press.

Among the well-nigh countless works on the Queen of Scots two of the latest offered to the public are of more than usual import. Messrs. Pott have out *Mary Queen of Scots and Who Wrote the Casket Letters*, which Mr. J. P. Cowan deals at length, to the extent of two volumes, with the life and reign of the Queen from her accession in 1561 until her death. Through the Longmans comes *The Mystery of Mary Stuart*, by Andrew Lang. This latter book is not a formal and full biography; rather has the special aim of explaining the bearing of the Lennox papers on the problem about Mary.

Mr. Blackburne Daniell continues his labors on the State Papers of the reign of Charles II. His last volume in the Calendar series brings students of the history of that period a large amount of interesting and illuminating material for the five months from October, 1672, to February, 1673.

In preparing *The Calendar of Treasury Books and Papers, 1739-1741, Preserved in the Public Record Office*, Dr. William A. Shaw has

simply tabulated an interminable mass of formal documents; he has also applied himself to examining and, where possible, elucidating the methods of Treasury finance.

Among the new books of a more or less biographical order at least two, which bear on the history of England in the eighteenth and early nineteenth centuries, should be mentioned here. *Caroline the Illustrious, Queen-Consort of George II., and sometime Queen-Regent, a Study of her Life and Times*, a two-volume work by W. H. Wilkins, comes from the Longmans. Mr. Murray has brought out *The Correspondence of Lady Sarah Lennox, 1745-1826*, edited by Lady Ilchester and her son, Lord Stavordale.

#### FRANCE.

An *Office d'Informations et d'Études* has recently been established at Paris, in the Department of Public Instruction and under the charge of MM. Charles-Victor Langlois and Victor-Henri Friedel. Its object is three-fold: to answer questions in regard to matters of science or of instruction which may be addressed to it by professors or by heads of administrative service in France or in other countries; to address to heads of service in the departments interested communications and reports upon educational and scientific questions; to maintain constant relations with schools abroad, like those of Dresden, Upsala or the United States, that frequently ask about young persons who may be available in international exchanges of teachers or students.

Vercingetorix forms the central subject of a recent little book by M. Camille Jullian, of the University of Bordeaux. The Gallic leader appears as a patriotic hero, early symbol of feelings of national unity and independence. There are included some reproductions of moneys, maps and plans, and special studies on Alise, Gergovie and Bourges, archaeological tours, as it were, about the battle-fields of Vercingetorix.

A large volume containing documents relating to the States General and the Assemblies of the reign of Philip the Fair, edited by M. Georges Picot, forms an important addition to the *Collection des Documents Inédits*.

M. Eugène Deprez, of the French School at Rome, has begun the publication of the letters of Clement VI., so far as they relate to France. This work forms part of the series of *Lettres des Papes d'Avignon*.

Monsieur E. Glasson, known especially for his extensive work in the history of French law and institutions, has recently treated, in a two-volume work, the political rôle of the Parlement of Paris from the reign of Charles VII. down to the Revolution (Paris, Hachette).

We have received from M. Alfred Cartier a reprint of his article in the *Bulletin de la Société d'Histoire et d'Archéologie de Genève* (t. II, livr. 4), on the political ideas of Theodore Beza. He proves that Beza was the author of the treatise, *Du Droit des Magistrats sur leurs Sujets*, and discusses the circumstances in which that treatise was drawn up and the influence of the theses maintained in it.

The memoirs of the Duke of Saint-Simon on the reign of Louis XIV. and the Regency have been rendered into English by Bayle St. John, and are published, with a preface by James Breck Perkins, in four volumes (James Pott and Co.).

Monsieur E. Levasseur has completed the second edition of his *Histoire des Classes Ouvrières et de l'Industrie en France avant 1789*. He has gone over the ground so fully and thoroughly that this new edition is virtually a new work, which will no doubt be the standard general treatise on the subject for a considerable time (Paris, A. Rousseau).

*Les Missions Catholiques Françaises au XIX<sup>e</sup> Siècle*, published under the direction of Father J. B. Piolet, S.J., has entered upon its third volume, which is to deal with missions in China and Japan. The volumes already out relate to the Orient and to Abyssinia, India and Indo-China; three later volumes will treat the subject for Oceanica and Madagascar, Africa and America.

Noteworthy articles in periodicals: Gaston Paris, *Roncevaux* (*Revue de Paris*, September 15); Louis Halphen, *Les Institutions Judiciaires en France au XI<sup>e</sup> Siècle, Région Angevine* (*Revue Historique*, November); Louis Davillé, *Les Relations de Henri IV avec la Lorraine, de 1608 à 1610* (*Revue Historique*, September); A. de Ganniers, *La Dernière Campagne du Maréchal de Rochambeau*, conclusion (*Revue des Questions Historiques*, October).

#### ITALY.

Three recently published works regarding as many regions of medieval Italy are of special interest: Professor Villari's *Two First Centuries of Florentine History*, translated by Linda Villari (London, Unwin); *Early History of Venice*, from the origin to the conquest of Constantinople in 1204, by F. C. Hodgson (London, Allen); and Mr. William Miller's *Mediaeval Rome*, in the "Stories of the Nations."

To the numerous organs established of late years to further studies in religious history is now added the *Rivista Critica e Storica di Studi Religiosi* (Florence, via Ricasoli, 21), issued every two months. It will contain studies, documents, miscellany, bibliography, and a chronicle which will include an indication of relevant matter in periodicals.

A most useful bibliographical aid is being brought out at Milan, a general catalogue of Italian publications in the last half-century: *Catalogo Generale della Libreria Italiana dall' Anno 1847 a tutto il 1899*. It appears by fascicles, one each month; about a dozen of the proposed thirty have appeared so far. Books printed outside of Italy, in the Italian language, are included with those printed in Italy. The compilation of the work is in charge of Professor Attilio Pagliaini, of the University of Genoa; the publication is undertaken by the Associazione Tipografico-Libraria Italiana. Also mention may be made here of a new organ of information concerning current bibliography, a fortnightly review recently founded at Florence by Dr. R. Quintieri, *Rassegna Internazionale della*

*Litteratura Contemporanea.* This journal, however, seems to have too large a plan to satisfy the demands of a scientific bibliography.

Noteworthy article: F. de Navenne, *Pier Luigi Farnèse* (*Revue Historique*, November).

**GERMANY, AUSTRIA-HUNGARY, SWITZERLAND.**

The Wedekind prize for German history, amounting to 3,300 marks, is offered for 1901-1906, to the best work in the way of a critical history of Saxon episcopal foundations in the Carolingian period. Manuscripts must be in the hands of the director of the committee, at Göttingen, before August 1, 1905. Also the Gesellschaft für rheinische Geschichtskunde offers, from the Mevissen fund, a prize of 2,000 marks on each of the following subjects: Organization and work of the Brandenburg administration in Jülich-Cleve from the end of the year 1610 to the treaty of Xanten (1614); The development of medieval towns in the Rhine region to the formation of the *Ratsverfassung* (about 1300), with special reference to political, legal and economic changes in the towns from the tenth century; Conrad of Heresbach and his friends at the Cleve court, with special reference to their influence on the government of the Dukes John and William. Manuscripts on the first and second subjects must be in the hands of Professor Hansen, at Cologne, by January 31, 1904; for the third, by January 31, 1905.

The celebration last summer by the canton of Basel of the four hundredth anniversary of its entrance into the Confederation was the occasion for the appearance of a useful memorial volume, due to the collaboration of several members of the Society of History and Archeology at Basel: *Festschrift zum vierhundertsten Jahrestage des ewigen Bundes zwischen Basel und den Eidgenossen, 13 Juni, 1901*. A similar event at Schaffhausen led also to a memorial publication, a complete history of the canton from the earliest times to the year 1848.

J. Kont, the author of the admirable review of historical studies relating to Hungary that appeared in the *Revue de Synthèse Historique* for last April, contributes to the *Revue Historique* for September-October a short account of a half-dozen of the most important works in the same field that have recently been published in Hungary. In general, they relate to the heroic age of the Magyar people. The six-hundredth anniversary of the extinction of the Arpadian dynasty in 1301 and the milenary fêtes of 1896 seem to have turned Hungarian scholars especially toward that period.

The first volume of the long looked for continuation of Lamprecht's *Deutsche Geschichte* appeared recently. This part of the work, covering the period after 1648, has the separate title, *Zur jüngsten deutschen Vergangenheit*.

Those who are interested in the public law and the constitutional history of Switzerland during the last century will find a serviceable volume in the collection of texts, begun by S. Kaiser and, since his

death, finished by Dr. Jean Strickler: *Geschichte und Texte der Bundesverfassungen der Schweizerischen Eidgenossenschaft, von der helvetischen Staatsumwälzung bis zur Gegenwart* (Berne, Wyss).

Dr. Friedrich Meinecke, the director of the *Historische Zeitschrift*, has been appointed ordinary professor of modern history at the University of Strasburg.

Noteworthy articles in periodicals: Ad. Bachmann, *Nochmals a Wahl Maximilians I. zum deutschen König* (*Historische Vierteljahrschrift* IV. 4); Walter Friedensburg, *Die römische Kurie und die Annahme der preussischen Königswürde durch Kurfürst Friedrich III. von Brandenburg* (1701) (*Historische Zeitschrift*, LXXXVII. 3); Richard Fester, *Der Bayreuther Schwester Friedrich's des Grossen* (*Deutsche Rundschau*, October to December); G. von Below, *Aus der Zeit Friedrich Wilhelm's I. Briefwechsel des Generals Gustav von Below* (*Deutsche Rundschau*, beginning in October).

#### AMERICA.

An article of great importance to students of American history "Present Bibliographical Undertakings in the United States," by V. Dawson Johnston of the Library of Congress, in the September number of the *Library Journal*. A list is given of all bibliographies now in process of construction, the greater number of which have a markedly historical character, and many of which promise to be of the utmost value. This list is unfortunately too long to be given here even in abbreviated form but among the larger enterprises several deserve especial notice. Such is the catalogue now in preparation of the library of E. C. Ayer, Chicago, which will be virtually a complete annotated bibliography of the North American Indians. It is being prepared by the aid of a score of specialists and will contain over sixteen thousand items. Others are bibliographies of United States and state boundaries, in preparation by the New York Public Library; lists of publications of the national political parties, by R. R. Bowker; a bibliography of the Confederate States by J. M. Callahan; and especially J. N. Larned's annotated bibliography of United States history in preparation by the American Library Association and intended to include over three thousand selected titles. State bibliographies, it appears, are in process of construction or enlargement for Maine, New Hampshire, Rhode Island, Maryland, North Carolina, Louisiana and Michigan. In the same issue of the *Library Journal* is a paper by Earl G. Swem entitled "State and Local Bibliography" in which the author shows what has been done in this line, and offers excellent practical suggestions regarding what needs to be done and how the task should be undertaken.

The Library of Congress has issued an admirable *List of Maps of America* with a thorough bibliography of cartography prepared by J. I. Phillips.

Professor Frank H. Hodder has prepared a volume of outline maps, with notes and suggestions for making an historical atlas of the United States.

that will illustrate territorial growth and development. It is likely to be of service for school and college classes (Ginn and Co.).

A useful check list of American county and state histories in the New York Public Library, Lenox building, is published in the November number of the *Bulletin of the New York Public Library*.

According to the New York *Staats-Zeitung*, two early maps of the well-known cartographer, Martin Waldseemüller, have been discovered in the library of Prince Waldberg-Wolfegg, by Father Joseph Fischer, S.J. One of them, "*Cosmographia Universalis*," apparently dating from 1507, is based according to its title upon the voyages of Americus Vesputius and others and gives the name America to the present South America. The other map, based upon Portuguese explorations and made in 1516, replaces the name America by Brasilia. If this account is correct the earlier map is one whose existence has been both affirmed and doubted and its discovery is a matter of considerable interest to students of early American cartography.

A volume entitled *Two Centuries Growth of American Law, 1701-1901*, is the contribution of the Faculty of the Yale University Law School to the series of Yale bicentenary volumes. It contains, besides an introduction prepared by Judge Simeon E. Baldwin, seventeen different articles covering the chief fields of law and tracing the changes and developments that have taken place since the beginning of the eighteenth century.

A book of sources with a somewhat different point of view from A. B. Hart's *History told by Contemporaries* will be *Colonial Prose and Poetry*, containing selections illustrating American culture and ideals, 1608-1770, edited by W. P. Trent and B. W. Wells (T. Y. Crowell and Co.).

The migration of German Jews to America is the subject of an interesting article in number 9 of the publications of the American Jewish Historical Society.

The Pennsylvania Historical Society is having copies made of the papers in the series entitled "*Proprietes*" in the British Public Record Office, which includes correspondence relating to Rhode Island and Connecticut as well as to the colonies generally termed proprietary. The first installment has been received and indicates that the value of this material will be very considerable.

*Israel Putnam, Pioneer, Ranger and Major General 1718-1790*, by W. F. Livingston, is a new volume in the "*American Men of Energy Series*." It is written largely from hitherto unused sources in the shape of diaries and letters.

Dean Tucker's Pamphlet, "*A Letter from a Merchant in London to his Nephew in North America, 1766*," is reprinted in the October number of the *Pennsylvania Magazine of History and Biography* together with



Benjamin Franklin's copious marginal notes from Franklin's own copy now in the library of the Pennsylvania Historical Society.

*Americana Germanica*, Vol. IV., no. 1, is devoted to the diary, or "Tagebuch," of Captain Wiederholdt, from October 7, 1776, to Dec. 6, 1780, edited by M. D. Learned and C. Grosse. This is the first complete publication of a "Hessian" diary and is a very interesting and in places amusing contribution to the history of the time. Captain Wiederholdt was long a prisoner in Virginia and Maryland, and his journal contains abundant observations upon the American of 1778, as well as upon the scenery, fauna, and flora from the standpoint of an honest and not ill-natured German.

A recent issue in Small and Maynard's series of Beacon Biographies is *Alexander Hamilton*, by James Schouler. A life of the same statesman is to appear in the Riverside Biographical Series, by C. A. Conant.

Professors A. B. Hart and Edward Channing have issued as *American History Leaflet* No. 32 "Documents relating to Territorial Administration, chiefly from the Original Manuscripts. 1778-1790."

The third number in the series of "State Documents on Federal Relations," edited by Dr. Herman V. Ames and published by the Department of History of the University of Pennsylvania, is entitled *The Reserved Rights of the States and the Jurisdiction of the Federal Courts*. The fourth number, which will soon appear, is to be entitled *Tariff and Nullification*.

The *Bulletin* of the New York Public Library continues its series of letters of James Monroe in the September and November numbers, publishing five dated in the years 1808-9 and dealing largely with Virginia politics during the period of Monroe's estrangement from Madison.

H. H. Humphreys has published a pamphlet entitled *A Critical Examination (in part) of Pennypacker's Life of General George G. Meade*, the chief purpose of which is to present the services of General A. A. Humphreys, Meade's chief of staff.

*Felix Reville Brunot* by Charles Lewis Slattery (Longmans, 1901, pp. x, 303), is not without interest and value to the student of American History, inasmuch as it tells the story of a man, who, holding no high official position, was nevertheless engaged constantly in work of philanthropy and public service. As a civilian caring for the sick and disabled soldiers in the Civil war, as president of the first board of Indian Commissioners, and in other capacities he devoted his best energies to helping his fellows. His life's story is well told by a staunch friend and unwavering admirer.

It is announced that President Roosevelt has consented to write a history of the Rough Riders for the roster of the New Mexico volunteers in the Spanish war, which will be published by the authority of the thirty-fourth legislative assembly of New Mexico.

The first volume in the series of "Pioneer Towns of America" is *The Story of Old Falmouth* by James Otis (New York, Crowell and Co., 1901, pp. 118). The object of the series is to give in short form readable accounts of the founding and growth of the principal cities of the union.

*The Documentary History of the State of Maine*, Vol. VII., published by the Maine Historical Society (The Thurston Print, Portland) contains the "Farnham Papers, 1603-1688," compiled by Mary Frances Farnham. These comprise all important documents bearing on the legal beginnings of the territory of Maine, both French and English, from Henry IV.'s patent of Acadia to De Monts, to Andros's commission of 1688, and are furnished with bibliography, index and historical introduction. The whole forms an altogether admirable volume, creditable to the compiler, who began it in the seminary of American history at Radcliffe College, and to the society which procured its publication. It offers a model that other state societies would do well to imitate. The society commemorated, at Portland, on October 1st, the millenary anniversary of the death of Alfred the Great by a series of addresses.

Volume XIV., 2nd series, of the Massachusetts Historical Society *Proceedings* covers reports of meetings from March, 1900, to February, 1901. Among the longer papers are "John Brown and the Destruction of Slavery," by L. W. Spring; "Early Houses near Massachusetts Bay," by J. F. Hunnewell, and "The Limits of Reliable Memory," by Josiah P. Quincy. A number of interesting extracts from the diary of John Marshall, of Braintree, 1688-1711, were communicated by S. A. Green. A still more important collection of unpublished letters by Jefferson, Webster, Kent and Story in the second and third decades of the last century, was presented by C. C. Smith.

The second volume of F. O. Allen's elaborate documentary *History of Enfield, Connecticut*, has appeared, reproducing the treasurer's and selectmen's records of births, marriages and deaths.

C. H. Lincoln begins the new University of Pennsylvania Series in History with a monograph entitled *The Revolutionary Movement in Pennsylvania, 1760-1776*.

*The Virginia Magazine of History and Biography* for October, continues its publication of documentary matter in "Papers Relating to the Administration of Governor Nicholson," "Selections from the Campbell Papers," and selections from N. W. Sainsbury's Abstracts from the British Public Record Office, the last under the title "Virginia in 1637." It also continues its valuable list of "Virginia Newspapers in Public Libraries."

Among the fall announcements the most interesting perhaps to students of Virginia colonial history is that of the reprint of the works of Colonel William Byrd, 1674-1744 (Doubleday, Page and Co.), in special typography and with illustrations.

The West Virginia Historical and Antiquarian Society has begun a vigorous campaign in the field of state history by publishing the *West*

*Virginia Historical Magazine*, which with the October issue completes its first volume. In the four numbers a strong appeal is made for the co-operation of all interested in local history, archaeology, and tradition, and a number of valuable articles are printed covering the entire field of local history from the aboriginal inhabitants to the recent status of the public debt. Among the longer papers are several on "The History and Archaeology of the Great Kanawha Valley," by the editor, J. P. Hale; a discussion, by W. S. Laidley, of the actual birthday of West Virginia, and, in the October number, a full study of the early history of "The West End of West Virginia," also by W. S. Laidley.

The State Historical Society of Missouri has recently secured the valuable collection of F. A. Sampson, of Sedalia, Mo., who for nearly thirty years has been engaged in gathering historical material relating to Missouri chiefly since the Louisiana Purchase. This collection numbering over seven thousand titles is intended by Mr. Sampson to furnish the nucleus for a great historical library and upon the recently organized State Historical Society has fallen the task of continuing to make acquisitions. For this purpose it has issued an elaborate circular describing in detail every variety of historical material desired, embracing not only books, public documents, letters and newspapers, but early pictures, relics of all sorts and Indian remains. Citizens of Missouri are called on to aid in the enterprise.

A supplement to Dr. Brymner's *Report on Canadian Archives* has been published by order of the Dominion Parliament, consisting of a report of Mr. Edward Richard upon the material in the French Ministère des Colonies. It comprises a classification of the series of papers there filed and calendars of the collection Moreau St. Mery, of documents relating to churches, missions and religious orders, and of royal despatches, first to the Compagnie des Indes Orientales and later to the Canadian government.

Noteworthy articles in periodicals: E. E. Sparks, *Formative Incidents in American Diplomacy* (Chautauquan, October-December); W. Wilson, *Colonies and Nation* (Harper's Magazine, October-December); W. A. Dunning, *The Undoing of Reconstruction* (Atlantic Monthly, October); *The Newfoundland Question* (Quarterly Review, July); H. B. Learned, *College Preparatory Work in American History* (Educational Review, November); J. B. Moore, *John Marshall* (Political Science Quarterly, September); T. C. Smith, *Expansion after the War, 1865-1871* (Political Science Quarterly, September); W. L. Cook, *Present Political Tendencies* (Annals of the American Academy, September); T. W. Page, *The Real Judge Lynch* (Atlantic Monthly, December).

The  
**American Historical Review**

THE MEETING OF THE AMERICAN HISTORICAL  
ASSOCIATION AT WASHINGTON

IN December last, for the first time since 1895, the American Historical Association assembled at Washington. Six years ago the meeting was not well attended and interest in the Association did not seem to be growing. With intent of awakening new interest and attracting the attention of history students, it was determined to hold some of the meetings in other places than Washington, especially under the auspices and general direction of the universities. The migratory plan seems to have proved successful. Doubtless the new life and energy that are everywhere apparent in the work of the Association are due in large measure to other causes, but they are also in part attributable to the fact that by holding sessions in different parts of the country new members have been added, local interest has been awakened, a large number of persons have been enabled to attend its gatherings, and the Association has been recognized as really national in its purpose and scope.

The growth and increasing influence of the Association were well shown by the large attendance at the Washington meeting, December 27 to 31, 1901. It was estimated that nearly if not quite 200 members were in attendance. Many of them came long distances. Representatives were present not only from the neighboring states, but from California and Texas, as well as from the states of the Mississippi Valley and the farther northeast. There was an unusually large representation from the southern colleges and universities, an indication not only of the value of an occasional meeting in the south, but also of the developing interest in history in the south. One of the most valuable sessions was given to a consideration of topics in southern history, and after the session those that were especially concerned, came together to discuss in an informal conference the general subject of history teaching in

the southern states. The acquaintanceship and mutual co-operation resulting from such a gathering are likely to prove of considerable service in the advancement of historical study.

The local committee, of which General A. W. Greely was chairman and Mr. Gilbert H. Grosvenor was secretary and treasurer, made elaborate preparations to care for the entertainment of the Association. Nothing that could contribute to the comfort and convenience of those in attendance was neglected. Ex-Senator and Mrs. John B. Henderson gave a reception to the members of the Association; Mrs. Roosevelt received informally the lady members and wives of members. The privileges of the Cosmos Club which were generously extended to all were much appreciated. Arrangements were also made to give the amplest opportunity to visit the places and the collections which had special significance for the historical student. The libraries of the State and War Department were open to inspection under the courteous supervision of Mr. Andrew H. Allen and Mr. J. W. Cheney. Of unusual interest and value were the opportunities of visiting the various departments of the Library of Congress, notably the departments of documents, of prints, of manuscripts and of maps. The hours spent in the library were full of profit and a source of inspiration to the visitors. Many students and teachers will go back to their tasks with renewed hope and courage and with confirmed convictions as to the bright future of historical scholarship in the United States. A great library conducted in the most liberal and enlightened manner, offering its advantages not only willingly but with positive eagerness, will be of incalculable service to historical investigation.

The programme prepared by the committee of which Professor Charles H. Haskins was chairman was of unusual excellence. The topics under consideration were so arranged as to give to each session a character and interest of its own. The American Economic Association likewise held its meeting in Washington and the members of the two Associations were thus enabled to meet together, as they did last year at Ann Arbor and on some previous occasions. Two joint sessions were held; in the first the presidents of the two societies delivered the customary annual addresses in the other, subjects of common interest to workers in both fields were discussed.

The first session was held Friday evening, December 27, in one of the lecture rooms of Columbian University. The address of Mr. Charles Francis Adams appeared in the January number of the *REVIEW*. It is not necessary therefore to speak of it at length. The reader will remember that Mr. Adams gave it as his conviction that the Assoc

ciation should not forbear entirely from considering topics of political moment. He believed that its members, trained historical investigators and students of past politics, should stand ready to discuss live political subjects in the historical spirit and to offer solutions of present problems in accordance with the teachings of history. It will likewise be remembered that he considered at some length the historical attitude of the United States toward "inferior races" and weaker states. Professor Ely, president of the Economic Association, spoke on Industrial Liberty. He declared that complete liberty cannot be an absolute ideal, because authority is needed in society in order to secure an harmonious co-operation of its various elements, and without social authority we should have no production of wealth and should be without the material basis for that popular liberty which enables men to use their faculties in the common service. The basis of social authority is institutional in the broadest sense, not merely political. Socialism on the other hand does not furnish an ideal industrial condition. The true ideal lies midway between anarchy and socialism; it may be termed the principle of social solidarity. According to this principle, the great institutions must be conserved, but developed in the interests of liberty positively conceived.

The Saturday morning session was held in the assembly room of the Congressional Library. The first paper was read by Miss Lucy M. Salmon, of Vassar College, in advocacy of the establishment of a school of historical studies at Rome. Miss Salmon pointed out that recent years have worked great changes in American universities; that the time has long passed when one could complain, as did John Quincy Adams, that the foot-notes of Gibbon could not be verified in American libraries; that there still exist however certain defects in our educational system, defects due in large measure to our separation from the actual scenes of historical events. The lack of proper correlation of history with other subjects is a noticeable fault in the present situation, and this is especially noteworthy in the absence of proper appreciation of the bearings of classical learning and of archæological erudition on history. It is plain too that the American student needs to have his knowledge vivified by personal acquaintance with monumental records and relics of the past. Above all, the disposition to treat American history as an isolated field of inquiry needs to be counteracted. It is no longer necessary to go to European universities for advanced work, but study in Europe under proper guidance is still to be desired. There is need then of an established colony of American students abroad in some center of historical interest where

their researches can be guided, and where they can receive the sympathetic instruction and counsel that are adapted to their peculiar wants. Miss Salmon argued that the most suitable site for such school was the Eternal City, replete as it is with interesting suggestions of the past and with stimulating associations for the American scholar.

Professor George L. Burr read an interesting paper on the use of European archives. The article will be published in the *REVIEW* and therefore need not be summarized here. It did not pretend to be in any respect a detailed description of the public records that are accessible to scholars, but only a general characterization accompanied by practical suggestions to American students, that may be of use in contemplating researches in the records of European states. The paper, written with fullness of knowledge and from personal experience, will prove serviceable to those who have not had Professor Burr's opportunities for learning the contents of European archives or the best methods for turning their treasures to account.

Mr. Robert T. Swan, commissioner of public records of Massachusetts, in a valuable paper told an interesting story of the efforts of the commissioners to gather and safeguard the public papers, not only of the state government, but also of the towns and counties of the commonwealth. A general law has been passed requiring the protection of documents. New buildings have been built and old ones remodelled, vaults have been constructed and safes purchased until now nearly every community has its principal records in safe keeping. Stores of valuable papers have been discovered, examined and placed under proper protection; printing of the records has been encouraged and many volumes have been published; annual reports have been issued containing information for the custodians of records or for those who seek to use them in investigation. Perhaps the most valuable result of the commission's labors is the fact that the importance of keeping papers has been brought to public attention, while the recording officers, finding themselves clothed with more authority and responsibility, have come to appreciate more fully the significance and value of their tasks.

The last paper of the Saturday morning session was given by Mr. Herbert Putnam, the librarian of the Congressional library. He spoke of the character of the library and of the desire cherished by those in charge to make it widely useful and to give every possible facility not simply to readers but to investigators. He referred to his forthcoming report, which would contain matters of detailed information in which the members of the Association would naturally be interested. He spoke also of the desirability of co-op-

eration and mutual understanding between local libraries and the national library, in order that, avoiding injurious competition, each might obtain the material which properly belonged to it. The need of building up the collections of valuable sources was also emphasized, and especially the desirability of obtaining facsimile reproductions or transcripts of American material in foreign archives, an undertaking in which the Historical Association might profitably take active interest. The library is already engaged in the task of preparing card catalogues of the library which are to be deposited in some of the chief cities of the Union and in places where they are likely to be of special service to students; it is also willing to furnish to libraries catalogue cards for such volumes as may be indicated. Publications, like the *List of Maps* recently prepared by Mr. Phillips, are to be issued from time to time, giving students fuller knowledge of the contents of the library. After the morning session, luncheon was served in the restaurant of the library. Captain Alfred T. Mahan and others spoke briefly and informally to those present.

The regular session of the Church History Section was held in the lecture room of Columbian University, Saturday afternoon. Professor Williston Walker spoke most entertainingly of the Sandemanians of the eighteenth century. After outlining the origin of Sandemanianism in the work of John Glas and Robert Sandeman, in Scotland, and describing the theological tenets, worship and discipline of the Sandemanian churches, the speaker described Sandeman's missionary journey to America in 1764, and gave an account of his preaching and appearance at Newport, Danbury, Portsmouth and Boston, presenting information derived from the unpublished manuscripts of President Ezra Stiles, of Yale College. He told of the formation of Sandemanian congregations at Portsmouth, Danbury, Boston, New Haven, Taunton and Halifax, and mentioned some of their leading members. He noticed their prevailing Toryism at the time of the American Revolution—due in part to their confidence in the Biblical command of obedience to kings and all others in authority—and pointed out the consequent difficulties in which they were involved. He narrated Sandeman's American experiences to his death at Danbury, in 1771, and traced the story of American Sandemanian churches through internal disputes and consequent schisms to the extinction of all these bodies save that at Danbury, which he described as still consisting of four members, far advanced in years. The paper presented a curious and little known episode in eighteenth century religious history. The second paper of the session, by President J. E. Rankin, of Howard



University, was a tribute to the life and character of Professor Edwards Amasa Park. Dr. J. L. Ewell, also of Howard University read excerpts from a sketch of the history of Byfield, a Massachusetts Country Parish.

Of special interest to college men was the conference of teachers in which was discussed the first year of college work in history. The meeting was intended to be very informal in character and to give opportunity for the frank presentation of theories and practices of those who have had somewhat large experience in the conduct of introductory courses. The discussion was led by Dr. Clive Day, of Yale University; Dr. Herman V. Ames, of the University of Pennsylvania; Professor Earle W. Dow, of the University of Michigan; Professor E. D. Adams, of the University of Kansas; Professor K. C. Babcock, of the University of California and Professor A. C. Coolidge, of Harvard University. It was clear from their reports that the conduct of the work varies considerably. Though the introductory course is usually given in the field of general European history, in some places it is in English history and in others students have a choice from several different courses. Some teachers have in view principally a knowledge of cardinal facts; others, while requiring such knowledge, lay special emphasis on the historical significance of such facts. Frequently very special attention is given to the use of books and the library; some times, as at Kansas, maps and historical geography have an exceptionally prominent place. Here and there, as at Pennsylvania stress is laid upon the life of the people, and lantern slides are extensively used. As a rule the work is carried on wholly in small classes; but in some places, as at Harvard and Michigan, lectures are given to a class of several hundred members. Some teachers require much collateral reading and written work; others rely more on the lecture or on a text-book; in some of the colleges each student is quizzed periodically by an assistant; elsewhere, as at Michigan, the large class is divided into sections for a weekly quiz and discussion. This absence of uniformity in method is no doubt due, not so much to a variety of pedagogical principles, as to varying conditions. But it is clear that though there are numerous differences, there is much agreement. All teachers insist, in one degree or another, upon a knowledge of facts; they all have in view some measure of training in the study of history; each is accustomed to use, not one, but a number of means and methods of securing the end in view; text-book work, collateral reading, oral and written exercises are generally, if not always, required as supplementary to the work of the lecture room. It seems probable that

as history becomes an older and better organized study in the secondary schools, university professors will be enabled to work under somewhat similar conditions, and will more nearly agree in their methods than is now the case.

Only two papers were read on Saturday evening, both of them treating of subjects in American history. Professor Herbert L. Osgood in a carefully prepared paper treated in a general way the most significant features of the relations between Great Britain and her colonies in the seventeenth century. Professor Osgood is interested, not only in the development of the colonies into states or of colonists into American citizens, but in the growth of the British Empire and in the rise and fall of British dominion. The paper was written from the latter point of view. Colonial history has been treated, even by Englishmen, so persistently as if it were only, or in large measure, the history of the United States in its infancy, that one is furnished a pleasing sensation of novelty when he sees many of the well-known facts fitted cleverly into the history of English colonization and used to explain in part the great process of empire building. The main theme of the paper was the gradual development of centralized authority in colonial matters during the first century after Jamestown, the gradual substitution of the royal colony for the colony managed by corporations or by personal proprietaries. Of peculiar interest was the account of the method by which Massachusetts Bay was deprived of its charter. A writ of *quo warranto*, sent out in 1635, was ineffective because to serve the writ on a company whose officers were across the sea and to make return within proper time proved impossible. In 1684, therefore, resort was finally had to a writ of *scire facias*, the personal service of which is not required in order that a court may obtain jurisdiction.

In a paper on James Madison and Religious Liberty, Mr. Gaillard Hunt traced Madison's connection with the establishment of religious liberty in Virginia, showing that in 1776 he had offered in the Virginia Convention an amendment to the Bill of Rights, which, if it had been adopted, would have rendered any subsequent legislation in behalf of religious liberty unnecessary. This amendment was molded by George Mason into that clause of the Bill of Rights relating to religious freedom, but not in the same radical form in which Madison submitted it. Eight years afterwards, Madison returned to service in his state and by means of his memorial and remonstrance, which was sent to every quarter of the state of Virginia and signed as a petition by the voters, he defeated the bill for religious assessment which Patrick Henry had introduced. So

strong an effect did this have in turning the tide which had been setting towards Henry's bill, that the people demanded the enactment of Thomas Jefferson's bill for religious freedom ; and yet this bill, Mr. Hunt contended, would have been redundant if Madison's proposed amendment to the Bill of Rights had been accepted in its original form.

The subjects considered in the Monday morning session were in the field of European history and dealt with the Renaissance and Reformation. Professor E. L. Stevenson of Rutgers College read a paper dealing with the Spirit of German Humanism as it showed itself in the intellectual life of the nation in the period of the Renaissance. He referred to the economic, religious, political and educational preparation for the humanistic movement, and discussed the Italian influence which seems to have been particularly strong in the earlier period. Reference was made to the bearing of humanism on the development of education, literature and the coming of the Reformation. Professor Ephraim Emerton then presented a scholarly piece of critical work in a paper dealing with the Chronology of the Erasmus letters. He examined some of the results already reached upon this question particularly by Richter and Nichols ; illustrated especially the disagreements between editions and the processes by which the recent attempts to establish the dates of the letters have proceeded ; and pointed out that these attempts show cleverness, but are scarcely convincing. He thus came clearly to the conclusion that the problem of Erasmian chronology is still open to investigation.

The third paper of the morning, on Recent Contributions to the History of the Protestant Revolt, by Professor James Harvey Robinson of Columbia, was devoted to a general estimate of the historical literature from which we obtain knowledge of the Reformation. He declared that the material customarily used greatly embarrasses those who are anxious to reach a reasonable judgment as to the issues and the leaders of the movement, and that Janssen, a Catholic historian, gives on the whole the clearest notion of the spiritual life of Germany before the appearance of Luther. He dwelt upon the necessity of studying the church of the Middle Ages with care and impartiality. We hope to present to the readers of the *REVIEW* the full text of Professor Robinson's article as a useful presentation of the most recent work and the best considered opinion concerning the nature of the Reformation.

The second joint session of the Historical and Economic Associations was held Monday evening. Professor A. Lawrence Lowell of Harvard presented a paper on Party Legislation in Parliament, in

Congress, and in the State Legislatures. It consisted chiefly in demonstrating a chart of the divisions or yea and nay votes in the House of Commons, Congress and some of the state legislatures, lines of different color indicating the proportion of party votes. For the House of Commons, sessions were taken about ten years apart, beginning in 1836 (when the division lists were first printed); the result showed clearly that party voting was at its minimum about 1860, and that from this time it had increased steadily until, in the last two sessions taken (1894 and 1899), it was very large. For Congress the result showed a very irregular amount of party voting, varying with the question which happened to come up for consideration, there being, for example, a great many votes where party lines were nearly strictly drawn whenever a tariff bill was under consideration, while in some other sessions they were very few. On the average, there is more party voting in Congress than there was in the House of Commons in 1860, but less than there is in the House of Commons to-day. The states taken were Massachusetts, New York, Pennsylvania, Ohio and Illinois, and in all of these, with the exception of New York, the amount of party voting is very slight. Some figures were also given in regard to the proportion of public and private bills enacted by these various legislative bodies on which a party vote had been taken at some stage in their passage.

In commenting on Professor Lowell's paper, Professor Judson spoke chiefly of party voting in state legislatures, pointing out the fact that questions that have a bearing on national party policies or organization are decided on party lines, as are problems that involve new and important policies for the state and imply higher taxation or increased responsibility. But the great mass of state legislation is altogether indifferent in character and there is no reason for expecting that on ordinary questions party proclivities or prejudices will be manifested.

Professor E. R. A. Seligman, the President-elect of the Economic Association, spoke upon the Economic Interpretation of History and sought to give a practical estimate of the so-called "materialistic conception of history." Attention was directed primarily to the five criticisms usually met with: 1st, that the theory of economic interpretation is a fatalistic doctrine; 2nd, that it rests on the assumption of historical laws, the very existence of which is open to question; 3rd, that it is socialistic; 4th, that it neglects the ethical and spiritual phases of history; 5th, that it leads to absurd exaggerations. While these objections were shown to be in a large measure destitute of foundation, it was pointed out that from the

purely philosophical standpoint the theory, especially in its extreme form, is no longer tenable as the universal explanation of all human life; but in the more restricted sense, economic interpretation—in the sense, namely, that the economic factor has been of the utmost importance in history and that the historical factor must be reckoned with in economics—the theory has been and still is of considerable significance. The subject of Professor Seligman's paper was discussed briefly by Professor Isaac A. Loos of the University of Iowa, and Professor E. P. Cheyney of the University of Pennsylvania. Professor Cheyney objected to the practice of beginning the examination of historical facts with the preconceived notion that the leading causes and influences are economic in their nature, or, indeed, with any theory of interpretation. He contended that the simple but arduous task of the historian was to collect facts, view them objectively and arrange them as the facts themselves demanded, without reference to any especial operating force beyond that clearly shown by actual conditions. He thought that many students had been led astray because they approached the past with predetermined principles of classification and organization.

The session on Tuesday morning in which papers on southern history were read was held in the assembly room of the National Museum. The first paper, by President Lyon G. Tyler, of William and Mary College, recounted the history of the records of the London Company. Professor John S. Basset, of Trinity College, North Carolina, gave an interesting description of the relations between the Virginia planter and the London merchants. The Virginia Company attempted unsuccessfully to restrict the trade of Virginia to itself. The fall of the company, in 1624, left the trade entirely open to the world. Then appeared the direct trade between the planter and the London merchant. This system produced some serious evils. It prevented the establishment of strong trading centers in Virginia; it thus gave the colony over to a rural life; it brought about irritating disputes between the planter and the merchant; it fostered the existing system of transportation which was unsatisfactory and expensive; it had a tendency to breed antagonism to foreign capital. Many Virginians realized the need of towns, but neither the large planters nor the merchants would support the laws made to encourage towns.

The Place of Nathaniel Macon in Southern History was the title of a paper by Professor William E. Dodd, of Randolph-Macon College. After giving a brief outline of Macon's life, the speaker selected for emphasis the most significant of his political tenets and the influence of the doctrines which he tenaciously held and boldly

advocated. Macon was consistently and without variation a supporter of state rights, and is justly entitled to a place beside the members of the Southern triumvirate, Jefferson, Calhoun and Randolph. Opposed to Federalism in all its forms, standing firmly against everything sought for by the commercialists of the north, he was the typical Southern agrarian, and yet, like other agriculturalists and supporters of local rights, an advocate of territorial expansion. Even before Randolph announced his notion of the interdependence of state rights and slavery, Macon had proclaimed a like doctrine and had gone so far as to anticipate Calhoun's dogma concerning the necessity of perpetual balance between the sections.

Dr. Bernard C. Steiner, of Johns Hopkins University, spoke on the Early Courts of Maryland, closing his paper with the year 1657. The period was selected because it covered the published volumes of the provincial court records; because in it were laid the foundations of the jurisprudence of the province; and because within it occurred the numerous tumults and oppositions to the authority of the Lord Proprietor. Attention was called to the wide judicial powers conferred upon the proprietor by the provincial charter, and to the organization of the courts both by ordinance of the proprietary and by act of the general assembly. The governor was supreme judge and sat in provincial court with his councillors; at times judicial functions were exercised by the general assembly especially when there was no law to cover the case; manorial courts were provided for by the charter and some of them were actually organized. The paper closed with a brief summary of the procedure of the courts and of the kinds of cases that were chiefly found in the records.

Professor George P. Garrison, of the University of Texas, gave the last paper of the meeting, an interesting description of the work that was being done by men of the southwest in studying and writing the history of that section of the country. By the southwest was meant the old Spanish territory south and west of the line of 1819. After speaking of the courses that were given in other schools and universities he discussed at greater length the work and ambitions of his own university and the Texas Historical Association, showing how much was being accomplished in the way of adding to our scant knowledge of the early history of that region. Of chief interest to historical students were his remarks concerning the abundance of manuscript material of the greatest value to the investigator, such material as that contained in the Bexar archives, which were described by Mr. Lester G. Bugbee in a small pamphlet issued in 1899. In that collection alone there are

some 350,000 pages. The Austin papers, which have just been transferred to the custody of the university, are of great value. They are "the most important repository of documents relating to the Anglo-American colonization of Texas". Unlimited opportunity for profitable research is offered by the collections, which fortunately are now placed where they can be wisely used and industriously exploited.

At the close of this session, as we have said, the persons that were specially interested in southern history met informally to consider the subject and especially the teaching of history in the south. The formation of a separate association was thought to be inadvisable; but the conference determined to make a beginning in the examination of southern conditions by investigating the methods of teaching history in the schools. Professor Frederick W. Moore, of Vanderbilt University, was chosen chairman of the committee that will undertake this investigation.

The business meeting of the Association, which was held Monday afternoon, was well attended. The session was appropriately begun by papers devoted to the life and work of two men who had held positions of honor and usefulness in the Association, and who by their interested labor had done much to promote its prosperity. Professor George L. Burr, who is intending to write a life of Professor Moses Coit Tyler, gave a short sketch of Professor Tyler's career, speaking of the charming personality and lovable traits which endeared him to so many, and paying the tribute of a friend and admirer to literary works which were the result of painstaking and laborious research, were constructed with scrupulous accuracy and regard for truth, and were written withal in a singularly felicitous and brilliant style. The chief events in the life of Herbert B. Adams were told in a paper by Professor John M. Vincent, of Johns Hopkins University. It recounted the early school and college days of Mr. Adams, his years of study in Europe, his success in founding and carrying forward the historical work at Johns Hopkins; it spoke of the enthusiasm which he imparted to the young men who came under his instruction, his skill and vigor as a teacher, his unremitting toil in the interests of the Historical Association, and his own contributions to scholarship. The speaker fittingly called to mind the personal qualities of one who did much for the promotion of the best historical work and the sustaining of high scholarly ideals in America.

The reports of the Council and of the Treasurer showed that the affairs of the society were in good condition. The Treasurer reported that he had received, during the year 1897, annual member-



ship dues and three life memberships. Disbursements amounted to \$4,805.65 ; but in spite of the large expenditure occasioned by the many activities in which the Association is interested, the funds of the Association increased to the sum of \$14,377.65, an increase during the year of \$1,072.93. The Treasurer also reported that Professor Herbert B. Adams had bequeathed to the Association the sum of \$5,000. This money had not as yet been turned over by the executors of the estate, and it therefore did not appear in the Treasurer's report. At the Detroit meeting in 1900 the Council reported favorably on the project of appointing a committee to arrange for the publication of a co-operative history of the United States. The Association was at that time unwilling to approve of the plan without further consideration, and finally referred the matter back in order that it might be brought up at the Washington meeting. The Council now reported that it had reached the conclusion "that in view of the difficulties involved, it would not be expedient for the American Historical Association to take part in forming or carrying out a plan for the composition or publication of a co-operative history of the United States." Resolutions were offered and passed in appreciation of the wisdom of Congress in its liberal maintenance of the Congressional library. A memorial to Congress was also adopted approving the establishment of a national hall of records. It may well be added that the Council has not only provided for carrying on the established work of the Association, but has taken various new problems under consideration. A project for the establishment of a school of American historical studies at Washington, which was laid before the Council at its November meeting, and the suggestion of an American historical school at Rome, were referred to a committee of the Council.

Invitations having been received from the University of Pennsylvania, the Pennsylvania Historical Society and the American Philosophical Society, it was decided to hold the next meeting in Philadelphia, during the Christmas holidays, the exact date to be announced in the future. The Council appointed a committee on programme and also a local committee of arrangements. The membership of these committees appear in the list of officers and committees given below. It was also announced that Professor Harry Pratt Judson had been appointed for another term as a member of the board of editors of the *AMERICAN HISTORICAL REVIEW*.

Professor William MacDonald, chairman of the Public Archives Commission, made a short report on the work of the commission to the effect that there would soon be ready for publication a somewhat



detailed account of the records of Philadelphia and less detailed descriptions of the archives of some of the states. The work of the manuscript commission was reported by Professor E. G. Bourne who said that the commission had examined the papers of Salmon P. Chase and expected to have them ready for publication in a short time. Professor George B. Adams, on behalf of the Editors of the *AMERICAN HISTORICAL REVIEW*, spoke briefly of the work and prospects of this journal, and called the attention of the Association to the fact that an increase in membership would be helpful in building up the work of the *REVIEW* and likewise of benefit to the Association, if the members secured were interested in history and in the promotion of historical studies. The committee on the Justin Winsor prize, through its chairman, Professor Charles M. Andrews, reported that seven essays had been presented, all of high excellence, and that the prize had been awarded to Ulrich B. Phillips for a monograph on the subject, "Georgia and State Rights," and that honorable mention had been made of a monograph by Miss M. Louise Greene on, "The Struggle for Religious Liberty in Connecticut."

Captain Alfred T. Mahan, the second vice-president, was elected president, Mr. Henry Charles Lea, of Philadelphia, first vice-president, and Mr. Goldwin Smith, of Toronto, second vice-president. Mr. A. Howard Clark, Professor Charles H. Haskins and Mr. Clarence W. Bowen were re-elected to positions they had held during the preceding year. Professor Frederick J. Turner and Mr. Herbert Putnam were elected to the Council.

OFFICERS AND COMMITTEES OF THE AMERICAN HISTORICAL  
ASSOCIATION.

<i>President,</i>	Captain Alfred T. Mahan, U. S. N.
<i>First Vice-President,</i>	Henry Charles Lea, Esq.
<i>Second Vice-President,</i>	Goldwin Smith, Esq.
<i>Secretary and Curator,</i>	A. Howard Clark, Esq.
<i>Corresponding Secretary,</i>	Professor Charles H. Haskins.
<i>Treasurer,</i>	Clarence W. Bowen, Esq.
<i>Secretary of the Church History Section,</i>	Professor Samuel M. Jackson.

*Executive Council* (in addition to the above named officers):

Hon. Andrew D. White, <sup>1</sup>	Edward Eggleston, Esq., <sup>1</sup>
Charles Kendall Adams, Esq., <sup>1</sup>	Charles Francis Adams, Esq., <sup>1</sup>
President James B. Angell, <sup>1</sup>	Professor William A. Dunning, <sup>2</sup>

<sup>1</sup> Ex-presidents.

<sup>2</sup> Elected members.

Henry Adams, Esq., <sup>1</sup>	Peter White, Esq., <sup>2</sup>
on. George F. Hoar, <sup>1</sup>	Professor J. Franklin Jameson, <sup>2</sup>
mes Schouler, Esq., <sup>1</sup>	Professor A. Lawrence Lowell, <sup>2</sup>
ofessor George P. Fisher, <sup>1</sup>	Herbert Putnam, Esq., <sup>2</sup>
mes Ford Rhodes, Esq., <sup>1</sup>	Professor Frederick J. Turner. <sup>2</sup>

*committees:*

*Finance Committee:* Elbridge T. Gerry, Esq., chairman, George S. Bowdoin, Esq.

*Committee on Programme for the Next Meeting:* Professor John B. McMaster, chairman, Professors Dana C. Munro, Charles H. Haskins, Samuel M. Jackson and Frederick J. Turner.

*Local Committee of Arrangements:* President C. C. Harrison, chairman, Messrs. S. W. Pennypacker, J. S. Rosengarten, Talcott Williams and Henry Willis (with authority to add auxiliary members at the discretion of the chairman).

*Committee on the Entertainment of Ladies at the Meeting of the Association:* Mrs. J. B. McMaster, chairman, Miss Ida M. Tarbell, Mrs. George O. Robinson (with authority to add auxiliary members at the discretion of the chairman).

*Delegates to the International Congress of Historical Studies at Rome, April, 1902:* Herbert Putnam, Esq., Professors Henry E. Bourne, Dana C. Munro, Charles H. Haskins and Ernest C. Richardson, Esq.

*Editors of The American Historical Review:* Professors William M. Sloane, Albert Bushnell Hart, Andrew C. McLaughlin, H. Morse Stephens, George B. Adams and Harry Pratt Judson.

*Committee on Bibliography:* Ernest C. Richardson, Esq., chairman, Messrs. William E. Foster, A. P. C. Griffin, George Iles, William C. Lane, J. N. Larned and Professor Charles Gross.

*Historical Manuscripts Commission:* Professor Edward G. Bourne, chairman, Professor Frederick W. Moore, Professor Theodore C. Smith, Reuben G. Thwaites, Esq., and Professor George P. Garrison.

*Committee on the Justin Winsor Prize:* Professor Charles M. Andrews, chairman, Professors Edward P. Cheyney, Charles H. Hull, Williston Walker and Roger Foster, Esq.

<sup>1</sup> Ex-presidents.

<sup>2</sup> Elected members.

*Public Archives Commission:* Professor William MacDonald, chairman, Professors Herbert L. Osgood, John M. Vincent, Charles M. Andrews and Edwin E. Sparks (with power to add auxiliary members and to fill vacancies till the next meeting of the council).

*Committee on Publications:* Professor George L. Burr, chairman, A. Howard Clark, Esq., Professor Fred M. Fling, Professor Samuel M. Jackson, Professor Anson D. Morse, Miss Elizabeth Kendall and Professor George W. Knight.

*General Committee:* The corresponding secretary, chairman, Miss Lucy M. Salmon, Professors George E. Howard, John S. Bassett, William MacDonald, James H. Robinson, George B. Adams and Henry E. Bourne (with power to add auxiliary members).

## ROBERT LE BOUGRE AND THE BEGINNINGS OF THE INQUISITION IN NORTHERN FRANCE

### I.

IN few fields of historical investigation has greater advance been made in recent years than in the study of the medieval inquisition. Long a favorite battle-ground of passion and prejudice, occupied chiefly by the controversialist and the pamphleteer, the history of the inquisition has begun to yield to the methods and spirit of modern historical science; and while the issues which it involved are not always easily separable from those of our own day, there has been a noticeable gain, not only in the critical accumulation of knowledge which reveals the real workings of the inquisition, but in the application to the medieval church of the historical spirit, which seeks neither to approve nor condemn an institution but only to understand it in the light of its own age. Scholars of many lands have contributed to this result, and it is a source of pride to American students that the work of one of their countrymen, Mr. Henry Charles Lea, still remains, in spite of the active investigations of the fifteen years which have elapsed since its publication, "the most extensive, the most profound, and the most thorough history of the inquisition which we possess."<sup>1</sup> At the same time no one would be slower than its author to claim finality for a work which, with all its enormous research, could not utilize many of the sources now accessible, or profit by the monographic studies upon the inquisition which in 1887 had scarcely begun to appear; and no one has been more ready to welcome the numerous recent contributions to the history of the Holy Office. Of these recent studies, some have dealt with the more general aspects of the inquisition, such as the organization and procedure of its tribunals or their relation to such matters as witchcraft and magic, others have been content to examine more closely its vicissitudes in the various countries of Europe and America. These general and local investigations can never be wholly independent, and their connection is peculiarly close in the case of an institution like the inquisition, which developed slowly and to a certain degree as the result of

<sup>1</sup> Quoted by Fredericq, in his essay on the *Historiographie de l'Inquisition*, prefixed to the French translation of Lea's *History of the Inquisition in the Middle Ages* (Paris, 1900). A German translation of Lea is announced.

experiments carried on in different places at the same time, and which it is consequently impossible to understand as a whole without examining the varying conditions which affected it in different countries. This is particularly true of the formative period of the thirteenth century, and it is with this period and with the comparatively neglected field of northern France that the present article is concerned. The necessity for the inquisition in the north was at all times small, when compared with the grave situation which confronted the church in Languedoc, and its history is naturally of far less importance. Still, the wide prevalence of heresy in the south and the heroic measures which were found necessary for its extermination were to a certain extent abnormal, and are apt to create a false impression of the conditions which called the papal inquisition into existence. The naturalness, one may almost say the inevitableness, of the rise of the papal inquisition appears much more clearly if studied under more normal conditions, in a field which presented no exceptional difficulties to the operation of the older system. Some account of the early history of the inquisition in the north will be found in the general work of Lea, in Tanon's useful study of inquisitorial procedure in France,<sup>1</sup> and in Fredericq's admirable history of the inquisition in the Netherlands.<sup>2</sup> It is hard gleaning after such scholars as these, yet their somewhat incidental treatment of northern France and the additional material that is now available upon the subject may perhaps justify a more special study. I shall deal briefly with the period preceding the introduction of the papal inquisition, and shall then treat more at length the general history and the procedure of the inquisition under the first papal inquisitor, the Dominican friar, Robert le Petit, better known by his popular name of Robert le Bougre.<sup>3</sup>

<sup>1</sup> *Les Tribunaux de l'Inquisition en France*. Paris, 1893.

<sup>2</sup> *Corpus Documentorum Inquisitionis Haereticae Pravitatis Neerlandicae*. Ghent and the Hague, 1889 ff. *Geschiedenis der Inquisitie in de Nederlanden*. *Ib.*, 1892 ff. Many of the documents in the *Corpus* were already in print, but I shall frequently refer to this collection because of its convenience.

<sup>3</sup> The only special study of Friar Robert is the monograph of the late Jules Frederichs, a pupil of Fredericq, entitled *Robert le Bougre, Premier Inquisiteur Général en France*, and published as the sixth fascicule of the *Recueil de Travaux* of the Faculty of Philosophy of the University of Ghent (32 pp., Ghent, 1892). So far as it goes, this is a very creditable piece of work, being particularly useful for events in Flanders and the adjacent regions, but its author overlooked several important sources of information. The accounts in Fredericq (*Geschiedenis*, I. 42-59) and Tanon (113-117), accept Frederichs's results. Other brief accounts are in Lea, II. 113-117 (with some corrections in the French translation); Berger, *Blanche de Castille*, 294-296; Tillemont, *Vie de Saint-Louis*, II. 289-293 (remarkably good for its time); and Chapotin, *Histoire des Dominicains de la Province de France* (Rouen, 1898), 216-226. Chapotin's account is the latest, but it is incomplete and careless and contains little that is new.

The sources for the history of the inquisition in northern France, when compared with the materials available for Languedoc, are disappointingly meager.<sup>1</sup> There was here far less to record than in the south and far less system in the records, and even the material that once existed has largely disappeared in the destruction of one kind and another which has wrought such sad havoc with the French archives of the thirteenth century. There is for the north no Collection Doat, with its rich mass of copies from ecclesiastical archives; there are no registers of proceedings like those of the tribunals of Carcassonne and Pamiers or of the inquisitor Bernard de Caux; there are no manuals of procedure like the famous *Practica* of Bernard Gui.<sup>2</sup> The most that careful search can collect for the north consists of some scattered local charters, a fair number of papal bulls, a few edifying examples garnered into the pious collections of Caesar of Heisterbach,<sup>3</sup> Étienne de Bourbon,<sup>4</sup> and Thomas de Cantimpré,<sup>5</sup> and the narratives of contemporary chroniclers, whose accounts of local matters are often of considerable value. Of the records of the royal administration under St. Louis, which must once have contained important information regarding the persecution of heresy, nothing remains touching the inquisition save some scattered notices in the royal accounts; the administrative correspondence is gone, even the general ordinance issued by St. Louis for the punishment of heresy in the north has disappeared.<sup>6</sup> Fortunately the papal documents of the thirteenth century are better preserved, thanks to the numerous originals in local depositories and to the registers so carefully kept by the papal chancery from the accession of Innocent III.; and it is from these more than from any other single source that we derive the greater part of our knowledge of the early history of the papal inquisition and—so

<sup>1</sup> For their special kindness in the course of my investigations at Paris my thanks are particularly due to M. Léopold Delisle, director of the Bibliothèque Nationale, and to M. Lucien Auvray, of its department of manuscripts, to Professor Élie Berger, of the École des Chartes, and to M. Auguste Coulon, of the Archives Nationales. At Rome, Mr. J. A. Twemlow of the English Public Record Office has given valuable assistance.

<sup>2</sup> On these see Charles Molinier, *L'Inquisition dans le Midi de la France*, and *Études sur quelques Manuscrits des Bibliothèques d'Italie*; Douais, "Les Sources de l'Histoire de l'Inquisition dans le Midi de la France," in the *Revue des Questions Historiques* for October, 1881, and *Documents pour servir à l'Histoire de l'Inquisition dans le Languedoc*.

<sup>3</sup> *Caesarii Heisterbacensis . . . Dialogus Miraculorum*, ed. Strange, Cologne, 1851.

<sup>4</sup> *Anecdotes Historiques, Légendes, et Apologues tirés du Recueil Intéressant d'Étienne de Bourbon*, ed. Lecoy de la Marche, Paris, 1877. Étienne was himself an inquisitor.

<sup>5</sup> *Bonum Universale de Apibus*, Douai, 1627. Cf. Berger, *Thomae Cantimpratensis Bonum Universale de Apibus quid illustrandis Saeculi Decimi Tertii Moribus Conferat* (Paris, 1895), and Kaufmann, *Thomas von Cantimpré* (Cologne, 1899).

<sup>6</sup> Fredericq, *Corpus*, II., Nos. 20, 55; *Geschiedenis*, I. 111-113.

scarce are local documents relating to heresy—much of our knowledge of the later history of the episcopal inquisition as well. Still the registers, whose publication in recent years has been of the greatest assistance to all students of the thirteenth century,<sup>1</sup> sometimes fail us when we most need their aid; all bulls were not registered, and many important acts of the papal administration were issued through legates or subordinate bureaus whose records have for the most part disappeared.<sup>2</sup>

The existence of heresy in the north of France can be traced back as far as the early part of the eleventh century, when heretics were discovered and punished at Orleans, Arras, and Châlons-sur-Marne, and as time goes on heretics are found in most parts of the north, even in regions as remote as Brittany.<sup>3</sup> These heretics were for the most part Manicheans who had passed westward and north

<sup>1</sup> The registers of Innocent III. have been in print since the seventeenth century; those of Honorius III. have recently been edited by Pressutti, while the publication of the registers of the other Popes of the thirteenth century is rapidly advancing under the auspices of the French School at Rome. For the years from 1198 to 1255 the entire series of registers is in print with the exception of the last four years of Gregory IX. Auvray's edition of the registers of that Pope, so important for the history of the inquisition, not having as yet advanced beyond 1237. For the remaining years of Gregory IX. the copies from the registers contained in the Collection Moreau at Paris and the volumes at the Vatican have been searched. Of the older collections of papal bulls the most important for the study of the inquisition is of course the *Bullarium Fratrum Praedicatorum* of Ripoll; a more complete calendar of bulls relating to the Dominicans is being published in the *Analecta Ordinis Fratrum Praedicatorum* (Rome, 1893 ff.).

<sup>2</sup> From one of these bureaus valuable documents, some of them relating to the inquisition, have been preserved in a collection of forms of the papal penitentiary discovered and published by Mr. Lea in his *Formulary of the Papal Penitentiary* (Philadelphia, 1892). There is no evidence that any of the documents contained in the formulary are subsequent to 1238, and so far as they can be dated they fall within the pontificate of Gregory IX. The collection is ascribed in the title to a cardinal priest "magister Thomasius," whom Mr. Lea (p. xxxviii) identifies with Jacobus Thomasius Gaetani, cardinal priest of St. Clement from 1295 to 1300. This cardinal, however, would seem to have been known as "dominus Jacobus" (Baumgarten, *Camera Collegii Cardinalium*, 105, 108), and it would be remarkable that a collection composed at the very end of the thirteenth century should contain no forms later than Gregory IX. Souchon (*Historische Zeitschrift*, LXXIII. 87) makes the plausible suggestion that the compiler was the famous Thomas of Capua, who is mentioned in certain of the forms.

This conclusion regarding the earlier date of the formulary in Mr. Lea's possession is confirmed by an examination of another formulary of the penitentiary contained in a MS. of the fourteenth century in the library at Tours (MS. 594, ff. 2-73). This is a more extended collection, including most of the forms in Mr. Lea's MS.—which would seem to have served as the basis—and a large number of others, many of which refer to events in the later thirteenth century and the pontificate of Boniface VIII. With these exceptions, the forms relating to French heretics are repeated from the earlier formulary but the proper names and initials are usually omitted.

<sup>3</sup> On the early history of heresy in northern France see the excellent pioneer work of Charles Schmidt, *Histoire et Doctrine de la Secte des Cathares ou Albigeois* (Paris, 1841), 24-50, 86-94; Havet in the *Bibliothèque de l'École des Chartes*, XLI. 498 ff.; L. I. chs. 2 and 3.

ward from Italy and Provence along the great lines of trade, just as their predecessors may have followed the routes of Balkan commerce into Italy,<sup>1</sup> and they were most numerous among the classes that travelled most, the merchants and artisans of the towns. Their chief centers in the north were in French Burgundy and the Nivernais, in Champagne, whose fairs constituted the great international market of the twelfth and thirteenth centuries and brought together large numbers of traders from Italy and the north,<sup>2</sup> and in Flanders, where the development of manufactures attracted considerable bodies of workmen from a distance and crowded them in towns for whose religious welfare the older ecclesiastical organization made no adequate provision.<sup>3</sup> So popular did the dualistic doctrines become among the weavers that the name *textor* became a synonym for heretic,<sup>4</sup> while suspicion easily fell upon the Flemish merchants by reason of their intercourse with the south and of the popular association of heresy with usury.<sup>5</sup> The Waldensian element in the north of France was of later origin than the Manichean and of much less importance. Adherents of this sect are found in several neighboring cities of the empire, such as Metz, Toul, Strassburg and Besançon,<sup>6</sup> and a later writer states that it was possible for a Waldensian journeying from Antwerp to Rome to spend every night with people of his faith,

<sup>1</sup> Cf. Karl Müller, *Kirchengeschichte*, I. 495; and on the predominance of the Catharan form of heresy in the north see Charles Molinier in the *Revue Historique*, XLIII. 167. Most of the places mentioned in the eleventh and twelfth centuries as seats of heresy in the north lie directly on the great trade routes, as may be seen by examining the map of overland trade routes at the end of Schulte's *Geschichte des mittelalterlichen Handels und Verkehrs zwischen Westdeutschland und Italien* (Leipzig, 1900). That the Albigensian Crusades also scattered heretics northward is altogether likely (Lea, II. 113).

For instances of the close connection between the heretics of northern France and those of Italy see Fredericq, *Corpus*, I. No. 2; Albericus in *Monumenta Germaniae Historica, Scriptores* (henceforth M. G. H. SS.), XXIII. 940, 944; Mousket, *Chronique Rimée*, verses 28873, 28996; *Historiens de France* (henceforth H. F.), XVIII. 726; and the papal bulls in Auvray, *Régestes de Grégoire IX*, No. 1044, and Chapotin, *Histoire des Dominicains de la Province de France*, 224.

<sup>2</sup> On the central position of the fairs of Champagne at this time see Schulte, I. 156, 160. On Flemish merchants at the fairs see Bourquelot, *Études sur les Foires de Champagne*, I. 139-141, 191 ff.; Pirenne, *Histoire de Belgique*, 251. Among the various recent discussions of the intercourse of Italian merchants with Champagne, see particularly Paoli, *Sienna alle fiere di Sciampagna* (Siena, 1898). Champagne was also of great importance in the woolen industry (Schulte, I. 127).

<sup>3</sup> Karl Müller, *Kirchengeschichte*, I. 493, 557; Pirenne, *Histoire de Belgique*, 333.

<sup>4</sup> Pirenne, l. c.; Schmidt, I. 43, 47, II. 281; Du Cange under "Textores."

<sup>5</sup> Persecution of merchants for heresy at Lille and Arras in Mousket, v. 28988; Fredericq, *Corpus*, I. No. 121. The association of heresy with usury is illustrated by Matthew Paris, *Chronica Majora*, III. 520, where he is speaking of Flanders. On the prevalence of usury in Flanders see M. G. H. SS., XXIV. 309, XXVIII. 442; Auvray, *Régestes de Grégoire IX*, No. 392.<sup>1</sup>

<sup>6</sup> Haupt, "Waldenserthum und Inquisition," in *Deutsche Zeitschrift für Geschichtswissenschaft*, I. 285 ff.



but exceedingly little is known of them in France.<sup>1</sup> The clearest case is that of a baker of Rheims, named Echard, who was burnt in 1230 or 1231 after condemnation by a provincial council which at the same time felt it necessary to forbid the circulation of Romance versions of the scriptures.<sup>2</sup>

The discovery and punishment of heresy in the earlier Middle Ages was the duty of the bishop, assisted in the exercise of this, as of his other judicial functions, by the archdeacon and the official. In securing information the bishop might avail himself of the machinery of local inquest, inherited from the Carolingian government which placed at his disposal in every parish a body, usually several of *testes synodales*, sworn to reveal whatever they might know or hear of any offense that came within the bishop's jurisdiction. That among such offenses heresy should have a prominent place was in itself natural, and was moreover particularly commanded by various councils, notably the great Lateran council of 1215. After an accusation of heresy had been brought to the bishop, by public presentment or private information—and the vagueness of the chroniclers on this point rarely permits us to determine the method employed in a particular case,—there was still chance for considerable perplexity regarding the subsequent procedure. Cases of heresy were not of common occurrence, and while the canon law contained principles which were capable of application to such cases

<sup>1</sup> Trithemius, *Annales Hirsaugienses*, ad an. 1230 (edition of 1690, I. 543). The source of the statement is unknown. Müller, *Quellen welche der Abt Trithemius in der ersten Theile seiner Hirsauer Annalen benutzt hat* (Leipzig, 1871), 30.

<sup>2</sup> Attention was first called to this council by Hauréau, who discovered and published a passage relating to it in a sermon of Philippe de Grève. See his article, "Un Concile et un Hérétique Inconnus," in the *Journal des Savants*, August, 1889; and his *Notices Extraits de quelques Manuscrits*, VI. 239-242. That the baker Echard (not Guichard as Hauréau has it; the MSS. have Ezhardus, Ethardus, Hyecardus, Hezhardus) was Waldensian appears from the account of his doctrines given in two other sermons of the same preacher, preserved in the libraries of Troyes (MS. 1099, ff. 166, 168) and Avranches (MS. 132, ff. 4, 6v); and is in one of the sermons explicitly stated: *Pauperes a Lugduno qui sequens Ezhardus fornicarius, Remensis civis nuper dampnatus* (MS. Avranches 132, f. 4v MS. Troyes 1099, f. 167).

The date is fixed by the fact that the collection of sermons from which Hauréau's extract is taken (Bibliothèque Nationale, MS. Lat. n. a. 338) forms a series for the ecclesiastical year, extending from September, 1230, to August, 1231, as is shown by the coincidence of the fixed and movable feasts (Lecoy de la Marche, *La Chaire Française au Moyen Âge*, Paris, 1886, p. 327). The sermon relating to Echard was preached on Holy Thursday at Paris, those in the other MSS. in the week following Trinity at Laon and Bruyères; and as the condemnation by the council is referred to as something recent it must fall early in 1231 or late in the preceding year. Other indications in the collections of sermons point to the same period.

<sup>3</sup> On the organization and procedure of the episcopal inquisition see particularly Le I. 305-315; Tanon, 255-325; Hinschius, *Kirchenrecht*, V. 337 ff., 425 ff. What is given below is of course only a very brief outline, and no attempt is made to treat the various legal questions involved.

the local prelate had few precedents to guide him as to the procedure to be followed or the penalty to be inflicted—indeed the preliminary question as to what constituted heresy might often puzzle any one but a theological expert. It is therefore not surprising to find the French bishops seeking the advice of their fellow prelates,<sup>1</sup> turning to a papal legate, if one happened to be near, or even consulting the Pope himself.<sup>2</sup> The procedure was deliberate—at times too deliberate for the patience of the people, who in some instances lynched those whom the bishops sought to protect,<sup>3</sup>—and apparently an effort was made to give the accused a fair trial as that was then understood. The examination was often conducted in the presence of a number of bishops,<sup>4</sup> or even an organized church council,<sup>5</sup> and mention is sometimes made of the presence of skilled jurists or masters in theology as well.<sup>6</sup> When the matter of checking the spread of heresy was first taken up by the Popes, no fundamental change was made in the system just described. The legislation of Lucius III. and Innocent III., besides defining heresy more sharply and requiring active assistance on the part of the secular power, was directed primarily toward increasing the responsibility of the bishop and empowering him to proceed against suspected persons on his own initiative, by virtue of his official authority, without waiting for formal accusations.<sup>7</sup> Under Innocent III. there

<sup>1</sup> Examples in Fredericq, *Corpus*, I. Nos. 3, 46, 48; H. F. XII. 266.

<sup>2</sup> As at Liège in 1145 (Fredericq, *Corpus*, I. No. 30), Arras in 1153 (*ib.* 32), and Rheims in 1162 (*ib.* 36).

<sup>3</sup> The instances will be found in the *Bibliothèque de l'École des Chartes*, XLI. 507, 515; or in Tanon, 15.

<sup>4</sup> As at Vézelay in 1167 (H. F. XII. 343) and in the persecutions at La Charité.

<sup>5</sup> Examples are: Liège, 1135 (Fredericq, *Corpus*, I. No. 25); Sens, 1198 (H. F. XVIII. 262); Dijon, 1199 (Hefele, *Conciliengeschichte*,<sup>2</sup> V. 798); Paris, 1201 and 1210 (*ib.* 801, 861); Trier, 1231 (Fredericq, *Corpus*, I. No. 82); Rheims, 1230 or 1231 (see above, p. 442).

<sup>6</sup> Potthast, 693, 4197; M. G. H. SS. XXVI. 275. On the evidence used in the earlier French cases see Tanon, 275, 303 ff., 324. Another example of the use of witnesses in Hauréau, *Notices et Extraits de quelques Manuscrits*, I. 178. The application of canonical purgation was more common than Tanon states; see the instances of its employment for laymen at La Charité in Auvray, *Régestes de Grégoire IX*, 1044, 2825; Potthast, 10044. In the best known case, that of the dean of Nevers in 1199 and 1200 (Potthast, 693, 1124, 1577), it appears that the accused was restored to office; his signature as dean is found in a charter of the year 1200, according to Parmentier, *Histoire sommaire de Nosseigneurs les Evêques de Nevers* (MS. in the Archives de la Nièvre), I. 102.

<sup>7</sup> On the episcopal inquisition and the Popes see, besides the works cited above, the chapter in Fredericq's *Geschiedenis* (I. ch. 2); and on the obligations of the bishop, Henner, *Beiträge zur Organisation und Kompetenz der päpstlichen Ketzergerichte* (Leipzig, 1890), 47. The canons of the council of Verona and the Lateran council of 1215 which relate to heresy will be found in Fredericq, *Corpus*, I. Nos. 56, 68. For the development of the so-called official procedure on the part of the bishop, which was by no means limited to cases of heresy, the eighth canon of the Lateran council (*Corpus Juris Canonici*, ed. Friedberg, II. 745) is also important. Cf. Hinschius, *Kirchenrecht*, V. 349 ff.

was a significant growth in the number of appeals from bishops' sentences, and occasionally, in Languedoc, papal legates were sent out to supplement the local authorities, but no new organization was introduced, and the episcopal inquisition remained until the time of Gregory IX. the only regular machinery for the repression and punishment of heresy.

The practical workings of the episcopal inquisition were frequently tested in the later twelfth and earlier thirteenth centuries in northern France.<sup>1</sup> In the ecclesiastical province of Rheims, within whose borders were to be found the principal industrial and commercial centers of the north, a council met as early as 1157 to legislate against the Manichean weavers, "men of the lowest class who move frequently from place to place and change their names as they go,"<sup>2</sup> and within the next half century numerous adherents of this sect were condemned in this region, particularly in Flanders, whence heretics fled to Cologne and even as far as England. Archbishop Guillaume I., who was also cardinal legate, and Count Philip of Flanders particularly distinguished themselves in these persecutions, yet heretics appear again at Soissons in 1204, at Arras in 1208, and at Cambrai in 1217,<sup>4</sup> while in 1230 it was found necessary to convene a council of the province in order to forbid the circulation of Romance versions of the Scriptures and condemn the Waldensian errors of the baker Echard.<sup>5</sup> At Paris in 1210 the bishop took the initiative in the proceedings against the followers of Amauri de Bène, who were then examined and condemned by a provincial council, and burnt by authority of Philip Augustus.<sup>6</sup> The same council pronounced against the doctrines of Amauri and others, a precedent which was followed some years later by a council of the same province,<sup>7</sup> and early in the reign of St. Louis a Fran-

<sup>1</sup> Many of the instances cited below will be found, often narrated at greater length, in Schmidt, I. 86-94, 362-365; Havet, *Bibliothèque de l'École des Chartes*, XLI, 511 ff.; Lea, I., 130, 131, 307 ff.; Fredericq, *Geschiedenis*, I., 21 ff.

<sup>2</sup> Fredericq, *Corpus*, I. No. 34.

<sup>3</sup> Fredericq, *Corpus*, I. Nos. 36-38, 40-44, 46, 48-55, II., 9, 10, 17; Ralph of Coggeshall, ed. Stevenson, 121 ff.; Frederichs, "De Kettersvervolgingen van Philips van den Elzas," in the *Nederlandsch Museum* for 1890, 233-245. Frederichs places in 1160 the council at Oxford which condemned the Flemish heretics, evidently failing to observe the evidence on this point contained in the Assize of Clarendon.

<sup>4</sup> H. F. XVIII., 713; Fredericq, *Corpus*, I., Nos. 64, 69.

<sup>5</sup> Hauréau, in the *Journal des Savants* for August, 1889, and in his *Notices et Extraits de quelques Manuscrits*, VI. 240. See above, p. 442.

<sup>6</sup> See in particular the *Chartularium Universitatis Parisiensis*, I. Nos. 11, 12; Caesar of Heisterbach, ed. Strange, I. 304 ff.; H. F. XVII. 83, XIX. 250; M. G. H. SS. XXVI. 275. References to the numerous modern discussions concerning the doctrines condemned in 1210 will be found in Mandonnet, *Siger de Brabant* (Freiburg 1899), xxvii-xxxii.

<sup>7</sup> Hefele-Knöpfner, V. 933; *Chartularium Universitatis Parisiensis*, I. No. 50.

ciscan who preached heresy at Paris was condemned by a papal legate.<sup>1</sup> No ecclesiastical authority is mentioned in the accounts of the heretics who were burnt at Troyes in 1200 and 1220<sup>2</sup> and at Orleans about the same time;<sup>3</sup> those who appeared in 1206 in Brittany were reported by the parish priest directly to the Pope, who referred the matter to the archdeacon of St. Malo and two abbots.<sup>4</sup> In the east, in the dioceses of Auxerre and Nevers and the adjoining portions of the dioceses of Langres and Autun, cases of heresy were of more frequent occurrence, and called for constant watchfulness on the part of the bishops. Appearing in this region first in 1167 at Vézelay, where several were condemned at the instance of the abbot of the monastery,<sup>5</sup> the heretics soon spread their teachings in the neighboring lands of French Burgundy and the Nivernais, where they numbered among their converts knights and wealthy bourgeois as well as men and women of the lower classes and even brought suspicion, at Nevers, upon the abbot of St. Martin's, the dean, and one of the canons of the cathedral. The whole machinery of the episcopal inquisition was turned against them—the preaching of Foulques de Neuilly, the active efforts of the Archbishop of Sens and the bishops of the region, the authority of provincial councils, the aid of the secular arm<sup>6</sup>—and the zeal of Bishop Hugues of Auxerre gained for him the title of “hammer of heretics,”<sup>7</sup> yet in spite of conversions and penances and sentences of death the infection remained.<sup>8</sup> For a time it seemed as if some impression had been made upon the chief stronghold of the movement, the town of La Charité-sur-Loire, yet after the death of

<sup>1</sup> H. F. XVIII. 319, XXI. 598.

<sup>2</sup> M. G. H. SS. XXIII. 878; Caesar of Heisterbach, I. 307.

<sup>3</sup> *Enquête* of the time of St. Louis concerning the king's justice at Orleans: Hugo de Fossatis iuratus dixit quod vidit in tempore Manasseri episcopi quendam hominem dampnatum pro incredulitate de quo dominus rex fecit iudicium secularem per ignem. Archives Nationales, JJ. 26 (the so-called “Register E of Philip Augustus”), f. 277. The bishop was probably Manasses de Seignelay, 1207–1221.

<sup>4</sup> Potthast, 2941.

<sup>5</sup> H. F. XII. 343, 345.

<sup>6</sup> Hervé, Count of Nevers, who died in 1222, is called “hereticorum precipuus persecutor.” *Histoire Littéraire de la France*, XXXII. 530; Vincent de Beauvais, *Speculum Historiale* (Douai, 1624), IV. 1275.

<sup>7</sup> See his biography in H. F. XVIII. 726, and Duru, *Bibliothèque Historique de l'Yonne*, I. 433; and cf. Robert d'Auxerre in H. F. XVIII. 273, or M. G. H. SS. XXVI. 270.

<sup>8</sup> On the heretics of the Nivernais see the other passages in the chroniclers just cited (H. F. XVIII. 262, 264, 729; M. G. H. SS. XXVI. 258, 260); also H. F. XIX. 7; Potthast, 693, 745, 1124, 1577, 1678, 1909, 2131; and the bulls cited in the following notes. The *Cartulaire du prieuré de La Charité-sur-Loire* published by Lespinasse (Nevers, 1887) and the charters from La Charité in the Bibliothèque Nationale (MSS. Lat. n. a. 2274, 2275) do not appear to contain anything on the subject.

For cases in the diocese of Langres see Potthast, 4197, 4700; Auvray, 1078.

Bishop Hugues in 1206<sup>1</sup> the fugitives returned and many of the converts relapsed into their old ways, so that within two years the Pope was obliged to send the new bishop of Auxerre and the bishop of Troyes against them.<sup>2</sup> The new inquisitors did diligent service, among other things promulgating a set of statutes "to confound the abuses of heresy and strengthen the state of the faith,"<sup>3</sup> and for several years nothing is heard from the scene of their labors. In 1231, however, Gregory IX. discovered that heresy had again lifted its head at La Charité, under the protection of certain nobles of the region, who were at open feud with the prior and temporal lord of the town,<sup>4</sup> and this time the Archbishop of Bourges, who had some reputation as a successful persecutor, was commissioned to act with the bishop of the diocese.<sup>5</sup> Traces of the activity of these inquisitors are found in various documents in the papal registers,<sup>6</sup> yet in January 1233, the Pope found it necessary to arouse the local authorities to action against a knight of La Charité who had fallen under suspicion because of the heresy of his brothers and his supposed connection with the attacks of the Count of Nevers on the neighboring monasteries,<sup>7</sup> and some weeks later he appealed to the French king on behalf of the prior in his valiant struggle to maintain the faith in the face of the hostility of neighboring lords.<sup>8</sup> Near the end of February Gregory IX., notwithstanding his earlier laudations of the French church as the "unshaken foundation of the faith,"<sup>9</sup> was obliged to confess that heresy was spreading "in a certain part of the circumference of the kingdom,"<sup>10</sup> and in April of the same year, the reports of Friar Robert indicating an even worse state of affairs at La Charité than had been supposed, the papal inquisition was introduced into the north.

<sup>1</sup> For a case in this year see Potthast, 2787.

<sup>2</sup> Potthast, 3271.

<sup>3</sup> Auvray, 637.

<sup>4</sup> The prior of La Charité had possessed temporal jurisdiction over the town since 1174. Lespinasse, *Cartulaire*, 160.

<sup>5</sup> Auvray, 637. The Archbishop died in 1232. Cf. his epitaph in Labbe, *Bibliotheca Nova Manuscriptorum* (II. 109), beginning, *Exuperans hereses*.

<sup>6</sup> Sentence of exile and confiscation (Auvray, 997); canonical purgation of a citizen of Souvigny (Auvray, 2825; Potthast, 10044); acquittal of a woman of La Charité (Coll. Moreau, 1191, f. 25). The examination of a canon of Chablis by the bishops of Auxerre and Nevers and the abbot and dean of Vézelay (Auvray, 1078) belongs to the same period.

<sup>7</sup> Auvray, 1044. The bishop's act of summons to the suspected knight, Colin Morand, is cited by Lebeuf, *Mémoires concernant l'Histoire Civile et Ecclesiastique d'Auxerre* (ed. Challe et Quantin), I. 411.

<sup>8</sup> Bull of February 28, 1233, Auvray, 1145. Cf. *ib.*, 1144.

<sup>9</sup> Bull of July 18, 1227, Auvray, 133.

<sup>10</sup> Bull of February 27, 1233, Auvray, 1152.

In spite of repeated effort the episcopal inquisition had plainly failed to accomplish the suppression of heresy at La Charité, and while we cannot be sure that it was given an equally fair trial in Champagne and Flanders, it is clear from the numerous convictions secured by the first papal inquisitor sent to those regions that the bishops had had no greater success in the other infected areas of the north. That the indifference of the bishops and their absorption in secular affairs may have had some share in this result, it would be idle to deny. But when a man of the energy and persistence of Hugues de Noyers was unable to eradicate the new beliefs from his diocese, it would seem that we must, in part at least, look elsewhere for an explanation. For one thing the duties of the episcopal office were so manifold that no bishop could give more than intermittent attention to the investigation of heresy.<sup>1</sup> Then, if one bishop began a persecution, it was easy, in the absence of concerted action, to find at least temporary safety in another diocese,<sup>2</sup> while if heretical doctrine were entirely driven out of a district, it might immediately be reintroduced by some wanderer from Lombardy or Languedoc. The fact is that heresy had become more than a local problem and by the thirteenth century something more than local means was necessary if it was to be suppressed. The system of procedure, too, was slow and cumbrous, having been for the most part taken over from the practice in dealing with offenses where the rights of the accused were more carefully regarded, and satisfactory proof of heresy was particularly difficult to obtain by ordinary means, while the growing tendency to appeal to Rome or consult the Pope introduced a further element of delay. The disadvantages of the current procedure—and the evident desire of Innocent III. to do justice—are illustrated by the case of certain inhabitants of La Charité. Excommunicated as suspects by the bishop of Auxerre, they succeeded, in 1199, in maintaining their orthodoxy before the papal legate, Peter of Capua, who proclaimed their release from excommunication in a council at Dijon and assigned them a penance which evidently included pilgrimage to Rome. Some however were too old or too feeble to undertake this journey, and Innocent III. directed the bishops of Autun and Mâcon and the abbot of Cluny to pass upon their case and to protect from further molestation those who had satisfactorily performed the penance. The bishop

<sup>1</sup> On this point cf. Fredericq, *Corpus*, I. Nos. 75, 89.

<sup>2</sup> Gregory IX. says of the heretics of La Charité: Si quis vulpes incipiat prosequi, ut jurisdictionem ejus effugiant vel evitent, ad aliam se transferunt regionem. Bull *Gaudemus*, Fredericq, *Corpus*, I. No. 90. So in the time of Innocent III. residents of the diocese of Auxerre would declare that they belonged in the diocese of Bourges or that of Nevers. Potthast, 3271.

of Auxerre still continued his accusations, carrying the matter to two other sets of judges and finally bringing the Archbishop of Sens and certain of his suffragans to La Charité to conduct the examination. When the accused remained away on this occasion, as they had at the time of the bishop's previous visits to the town, and failed to appear at a hearing set for them at Auxerre, the Archbishop condemned them as heretics. The case was then carried to the Pope, who referred it to the Archbishop of Bourges, the bishop of Nevers and the abbot of Cluny, with instructions to publish the men in question as heretics and hand them over to the secular power unless they made public confession of their error and gave security for their future orthodoxy.<sup>1</sup> After some months the archbishop and abbot—the bishop of Nevers having died—reported their findings to the Pope, at the same time sending to Rome three of the accused whom the archbishop had adjudged orthodox, and in May, 1203, four years after the proceedings had begun, the Pope sent back the parties with instructions to the judges delegate to prescribe penance for them and continue the examination of the other cases.<sup>2</sup> This affair may have run on longer than was usual,<sup>3</sup> but where such delays could occur, it is obvious that if the medieval view of the enormity of the crime of heresy and the absolute necessity of its extermination were to continue to prevail, some more effective agency for the purpose must be devised. What was evidently needed was a set of inquisitors who could give their whole time and energy to the detection and punishment of heresy, inquisitors able to act promptly and without regard to diocesan boundaries, locally powerful, yet independent of local control, the willing instruments of the papal policy, yet not hampered by the delay of frequent appeals to Rome—in short just such an institution as the popes ultimately organized in the Dominican inquisition.

We cannot too often remind ourselves that the papal inquisition "was not an institution definitely projected and founded, but was moulded step by step out of the materials which lay nearest to hand fitted for the object to be attained." A pope who had the extermination of heresy very much at heart found the old methods ineffective; "the preaching friars were the readiest instrument within reach for the accomplishment of his object"; he tried them, and

<sup>1</sup> Bull *Accedentes* of May 12, 1202, Potthast, 1678.

<sup>2</sup> Bull *Qualiter* of May 21, 1203, Potthast, 1909.

<sup>3</sup> An equally convincing illustration of the delays of the procedure under Innocent III. is afforded by the case of a certain canon of Langres and priest of Mussy who appears in the papal registers in 1211 and 1213. Potthast, 4197, 4700; Lea, I. 307. If this person is the same as the heretical priest of "Musciac" mentioned in a papal bull of 1233 (Auvray, 1044) he had great success in eluding the inquisition.



the success of the experiment "led to an extended and permanent organization."<sup>1</sup> The episcopal inquisition was not thereby abolished, indeed the Dominicans were instructed to act in conjunction with the bishops, and it was only considerably later that a new set of tribunals for the trial of heresy came into existence, with their own distinct organization and rules of procedure.<sup>2</sup> How this development came about and how it was related to the centralizing tendencies within the church, it is no part of our present purpose to examine; our only immediate interest is to observe the events which led up to the introduction of the Dominican inquisition into northern France. The first definite move toward the establishment of a distinctively papal inquisition was made in the territory of the empire, in June, 1227, when Gregory IX. commissioned the fanatical Conrad of Marburg to proceed against the heretics of Germany with the assistance of such associates as he might select,<sup>3</sup> and placed the case of certain heretics of Florence in the hand of the local members of the Dominican order.<sup>4</sup> It was not, however, until early in 1231 that Gregory IX. seriously took up the task of unifying and defining more sharply the ecclesiastical and secular legislation against heresy and compelling its general enforcement throughout Christendom.<sup>5</sup> The immediate occasion which decided the Pope to action seems to have come then, as at other decisive moments in the history of the church, from the city of Rome. Returning after an absence of some months, Gregory found the city infested with a considerable body of heretics, and in order to facilitate the proceedings against them he had the various provisions of the canon law with reference to the punishment of heresy collected and consolidated, with some modifications, into the so-called "new statutes" of 1231, and at the same time gave his sanction to a series of constitutions drawn up by the senator and people of Rome which made the secular penalties against heresy more severe. In the course of the following summer copies of the new code were sent to the arch-

<sup>1</sup> Lea, I. 328.

<sup>2</sup> Cf. Hinschius, *Kirchenrecht*, V. 450. It is at the same time true, as Tanon points out (pp. 36, 291), that much of the exceptional character of the penalties and the procedure was in germ before the organization of the Dominican inquisition.

<sup>3</sup> Potthast, 7931; Auvray, 109. Conrad had been engaged in the persecution of German heretics in 1224, in connection with the bishop of Hildesheim, and perhaps earlier. The most recent account of his remarkable career is that of Michael in his *Geschichte des deutschen Volkes* (Freiburg, 1899), II. 318 ff.

<sup>4</sup> Lea, I. 326.

<sup>5</sup> On the legislation of 1231 see Ficker, "Die gesetzliche Einführung der Todesstrafe für Ketzerei," in the *Mittheilungen des Instituts für Oesterreichische Geschichtsforschung*, I. 177 ff., and Winkelmann, *Kaiser Friedrich II.* (Leipzig, 1897), II. 296 ff. The statutes of Gregory and the accompanying Roman legislation will be found in Fredericq, *Corpus*, I. Nos. 79, 80; Auvray, 539, 540.



bishops and bishops throughout the church with instructions to have the papal statutes read in public once a month and the secular constitutions transcribed into the local books of law. In November of the same year the execution of the new statutes at Friesach, in Carinthia, was entrusted to the Dominicans,<sup>1</sup> and early in 1232 the preaching friars engaged in the work of the inquisition were especially commended to the protection of the German princes by both Pope and Emperor.<sup>2</sup> In this year the Pope also recommends the employment of the Dominicans to the Archbishop of Tarragona,<sup>3</sup> and Dominican inquisitors are found acting under papal commissions in Lombardy<sup>4</sup> and Burgundy.<sup>5</sup> In France, while some inquisitorial authority had previously been exercised in the south by members of the order,<sup>6</sup> the definite establishment of the Dominican inquisition dates from April, 1233, when Gregory IX. informed the French bishops that in view of their overwhelming cares and anxieties he had decided to reduce their burdens by sending the preaching friars against the heretics of the kingdom,<sup>7</sup> and, at the same time that he ordered the Dominican provincial prior to designate preachers against heresy in Provence,<sup>8</sup> he commissioned Friar Robert and his fellow inquisitors at Besançon to proceed against the heretics of La Charité.<sup>9</sup>

Concerning the early life of the Dominican friar whom Gregory IX. selected as the first papal inquisitor in northern France, our only knowledge is derived from the incidental statements of those who treat of his later career. That he had once been a heretic (*bougre*) is clear from the name, Robert le Bougre, by which he was generally known, and is confirmed by the general agreement of the chroniclers; but beyond this point the accounts are somewhat con-

<sup>1</sup> Winkelmann, *Acta Imperii Inedita*, I. 499, where similar documents of the following year for Mainz and Strassburg are cited.

<sup>2</sup> Potthast, 8859, 8866; M. G. H. *Constitutiones et Acta Publica*, II. 197; (cf. also on p. 194, the constitution of Frederick II., of February 22, 1232, which brings his earlier legislation against heresy into line with the papal policy).

<sup>3</sup> Potthast, 8932.

<sup>4</sup> Potthast, 9041.

<sup>5</sup> The bull appointing inquisitors in Burgundy is lost, but its contents are known from a citation in the bull *Gaudemus* of April 19, 1233, and it evidently belongs to 1232. Potthast, 9152; see below.

<sup>6</sup> Potthast, 9153.

<sup>7</sup> Bull of April 20, 1233, copied in the Collection Doat (XXXI. 21) of the Bibliothèque Nationale from the Archives of the Inquisition at Carcassonne. Part of it, with date of April 13, was published by Percin, *Monumenta Conventus Tolosani*, III. 92, whence it is reproduced by Fredericq, *Corpus*, I. No. 89 (Potthast, 9143; not in Auvray).

<sup>8</sup> Potthast, 9155.

<sup>9</sup> Bull *Gaudemus*, of April 19, 1233. Auvray, 1253; Potthast, 9152; Fredericq, *Corpus*, I. No. 90.

ficting,<sup>1</sup> and it is not certain how much of these stories is fact and how much is the product of ætiological imagination playing about his name. His real name, it has recently been discovered, was Robert le Petit,<sup>2</sup> so that he would seem to have been a Frenchman, but we know nothing of the time or place of his birth. A work attributed to Matthew Paris makes him the son of a heretic,<sup>3</sup> but according to Albericus he left the orthodox faith about the time of the Lateran council of 1215 and followed a Manichean woman to Milan, then famous as one of the principal breeding-grounds of false doctrine. He is said to have remained a member of this sect<sup>4</sup> for

<sup>1</sup> Most of the contemporary chroniclers treat only of particular episodes in Friar Robert's history. Those of special importance as general authorities for his career are:

Matthew Paris, in his *Chronica Majora* (edited by Luard in the *Rolls Series*, III. 361, 520; V. 247. Ed. Liebermann in the *Monumenta Germaniae Historica, Scriptores*, XXVIII. 133, 146, 326); his *Historia Anglorum* (edited by Madden in the *Rolls Series*, II. 388, 415; and by Liebermann, M. G. H. SS. XXVIII. 411); and the *Abbreuiatio Chronicorum Anglie*, attributed to him (edited by Madden as part of the *Historia Anglorum*, III. 278; and by Liebermann, M. G. H. SS. XXVIII. 448). Liebermann's edition is preferable; Frederichs missed important passages by relying upon the edition of 1640.

Albericus Trium Fontium, ed. Scheffer-Boichorst, M. G. H. SS. XXIII. 936, 937, 940, 945, also in H. F. XXI. 614, 615, 618, 623. On the composition of this work see Scheffer's masterly introduction to his edition. Albericus was a monk of Trois-Fontaines, in the diocese of Châlons-sur-Marne, and had special opportunities of knowledge regarding Robert's doings in Champagne; some portions of the chronicle in its present form were added by a monk of Huy.

Philippe Mousket, *Chronique Rimée*, verses 28871-29025. Best edited, but with important omissions, by Tobler in M. G. H. SS. XXVI. 804-806: also ed. De Reiffenberg (Brussels, 1836-1838); H. F., XXII. 55-56; Fredericqs, *Corpus*, II. No. 23. Mousket lived at Tournai, where he is mentioned in certain leases of the years 1236 or 1237. On his life and family see DuMortier in the *Compte-Rendu de la Commission Royale d'Histoire de Belgique* (1845), IX. 112-145; and Pirenne in the *Biographie Nationale*, XV. 329.

With these we may for convenience mention a less trustworthy writer who characterizes Robert briefly, Richer de Senones. His *Chronicon* has been edited by Waitz, M. G. H. SS. XXV. 307; this passage is omitted in the older edition of D'Achery.

<sup>2</sup> Quondam frater Robertus dictus Lepetit. Bull *Constitutus* of Urban IV., October 29, 1263, published from the papal registers by Chapotin, *Histoire des Dominicains de la Province de France*, 224.

<sup>3</sup> *Historia Anglorum*, III. 278; M. G. H. SS. XXVIII. 448. Richer says that as inquisitor he condemned his father and mother to death. M. G. H. SS. XXV. 308.

Finke, in the *Historisches Jahrbuch*, XIV. 335, points out that in the case of Robert it would have been better if the Pope had followed the latter rule of appointing as inquisitors only those of orthodox family and unblemished orthodoxy.

<sup>4</sup> Circa tempus magni concilii apostatavit, secutusque mulierculam manicheam Mediolanum abiit, et factus est de secta illa pessima per annos 20, ita quod inter eos fuit perfectissimus. Albericus, M. G. H. SS. XXIII. 940. Mousket, vv. 28873-28876:

Et dist quil ot mes a Melans,  
Et si eut este par dis ans  
En la loi de mescreandise  
Pour conoistre et aus et lor guise.

The passage of Albericus is perfectly plain, but Chapotin (*Histoire des Dominicains*, 216, note) makes it say that Robert was a Dominican before his apostasy, and then became a Waldensian.

several years—the chroniclers give the round numbers ten and twenty—and to have risen to the rank of “apostle” among them. Certain it is that he acquired in his earlier years a familiarity with heretics and their ways which, combined with his fiery zeal and ambition, made him particularly terrible as an inquisitor and gained for him the name of the Hammer of Heretics.<sup>1</sup> He was supposed to be able to tell unbelievers by their speech and gestures alone,<sup>2</sup> and Gregory IX. declared that God had given him “such special grace that every hunter feared his horn.”<sup>3</sup> It would also seem that he had acquired something of the learning of his day, for Matthew Paris declares him well educated and a ready and effective preacher,<sup>4</sup> and Richer calls him *magister* and speaks of his learning and eloquence.<sup>5</sup> Of the personal character of Friar Robert we have only unfriendly judgments, formed after his fall. Matthew Paris, certainly no admirer of the Mendicant Orders at their best,<sup>6</sup> finds him false and corrupt, a deceiver and seducer of men worthy of being compared to the leader of the Pastoureaux—a man whose crimes it were better not to mention and who was “turned aside like a deceitful bow” at the last.<sup>7</sup> He was a man who seemed to have much religion but had it not, says Albericus.<sup>8</sup> To Richer he was the incarnation of hypocrisy, a wolf in sheep’s clothing, wholly given over to uncleanness and the glory of this world, who did not hesitate to avail himself of magic arts in order to bend people to his will.<sup>9</sup>

The first definite point in Friar Robert’s biography appears in or about the year 1232, when we find him, already a member of the order of preaching friars, appointed on a commission with the Dominican prior at Besançon and a certain Friar William, or Walter, to investigate heresy in Burgundy.<sup>10</sup> It is no longer possible,

<sup>1</sup> Matthew Paris, *Chronica Majora*, III. 361, 520; M. G. H. SS. XXVIII. 133, 147.

<sup>2</sup> Per solam loquelam et per solos gestus, quos habent heretici, deprehendebat eos. Albericus, M. G. H. SS. XXIII. 940.

<sup>3</sup> Bull *Quo inter ceteras* of August 22, 1235. Auvray, 2737; Potthast, 9994; Fredericq, *Corpus*, II. No. 28.

<sup>4</sup> Vir quidem competenter literatus et in officio predicationis efficax et expeditus, *Chronica Majora*, III. 520; M. G. H. SS. XXVIII. 146.

<sup>5</sup> Vir doctissimus et eloquio clarus . . . qui tantam habuit gratiam ut nullus ei tunc secundus haberetur. M. G. H. SS. XXV. 307.

<sup>6</sup> Cf. Plehn, *Der politische Charakter von Matheus Parisiensis*, 45 (in Schmoller’s *Forschungen*, XIV. 3).

<sup>7</sup> *Chronica Majora*, III. 520, V. 247; *Historia Anglorum*, II. 388; M. G. H. SS. XXVIII. 147, 326, 411.

<sup>8</sup> M. G. H. SS. XXIII. 940.

<sup>9</sup> M. G. H. SS. XXV. 307. One is tempted to see an allusion to our inquisitor in the “Frere Robert” whom Rutebeuf mentions together with five other friars in one of his satires on the hypocrisy of the Mendicants (ed. Jubinal, 1874, I. 246; ed. Kressner, 72); but I agree with Jubinal that the names are probably fanciful.

<sup>10</sup> The bull is lost but is known to us from a citation in the bull *Gaudemus* of April

with the materials at our command, to follow the course of the inquisition in Franche-Comté.<sup>1</sup> This portion of the empire never became notorious as a center of heretical activity, and while his authority under the papal bull was limited to the Burgundian lands, we are not surprised to find Friar Robert, early in 1233, seeking a more promising field of labor over the French frontier at La Charité. Acting here as the representative of his official superior at Besançon, Robert began to preach the true faith with such success, so he reported to the Pope, that many of the erring came to him of their own will, presenting themselves for punishment with chains about their necks and offering to give evidence against their associates and even against members of their own families. He found the town a foul nest of unbelief, even fouler than was generally supposed, and discovered that its inhabitants had scattered their dire poison through the whole of northern France, particularly in the neighboring provinces and in Flanders; and he adds, what was undoubtedly one of the serious difficulties in any merely local attempt to suppress heresy, that when pursued the heretics fled to another jurisdiction.<sup>2</sup>

La Charité not being within the limits of his commission, Robert was obliged to confine his efforts to preaching, and his report to the Pope was evidently made with a view to having his jurisdiction as inquisitor extended to France. Gregory IX. was not averse to more vigorous measures, and in a bull of April 19, 1233, he ordered Robert and his fellow inquisitors of Burgundy to undertake, with the advice of the bishops and in accordance with their previous

19, 1233: Cum enim nos dudum dilectis filiis . . . priori Bisuntino et fratri Willelmo (Ripoll has Wallerio), de ordine fratrum predicatorum, ac tibi nostris dedissemus litteris in mandatis, quod in Burgundia super crimine prenotato sub certa forma cum ipsis perquireret diligenti sollicitudine veritatem (Auvray, 1253; Potthast, 9152; Fredericq, *Corpus*, I. No. 90). This appointment of inquisitors for Burgundy is evidently subsequent to the decrees of February, 1231, and probably belongs to 1232. The name of the prior at Besançon is not given in the bull; in an act of April, 1233, he appears as "frater W. prior ordinis predicatorum Bisuntinensium" (Bibliothèque Nationale, Coll. Moreau, 863, f. 539 v.)

<sup>1</sup> Cf. Lea, II. 119. There are two bulls on this subject from the year 1233, one of May 27 to the suffragans of the Archbishop of Besançon (published by Lea, I. 567, from the Collection Doat, where it is classified under Gregory X.) repeating the instructions recently given to the German prelates for the imprisonment of relapsed heretics (Rodenberg, *Epistolae*, I. No. 514), the other of June 17 answering certain questions of the Dominicans of Besançon (Auvray 1416; Potthast, 9235). I have looked in vain for documents at Besançon, where the Dominicans had been established since 1224 (Richard, *Histoire des Diocèses de Besançon et de Saint-Claude*, I. 473; Chapotin, *Histoire des Dominicains de la Province de France*, 53).

<sup>2</sup> Our knowledge of Robert's experiences at La Charité rests upon his own statement as reproduced in the bull *Gaudemus* of April 19, 1233 (Auvray, 1253; Potthast, 9152; Fredericq, *Corpus*, I. No. 90). Doubtless he informed the Pope promptly of his labors there, so that they must have fallen in the early months of 1233. The *Circa mundi vesperam* of February 28 (Auvray, 1145) mentions the efforts of the prior of La Charité, but says nothing of Robert.

instructions, "the extirpation of heresy from the aforesaid town and the adjoining regions," invoking if necessary the aid of the secular arm. They were empowered to proceed against harborers of heretics in accordance with the statutes of 1231, and were cautioned against feigned conversions.<sup>1</sup> Having written to the same effect to the provincial prior of the Dominicans in France,<sup>2</sup> the Pope informed the archbishops and bishops of that kingdom that he had decided to send the friars preachers against the heretics of France and adjacent provinces and would expect the clergy to render them all necessary assistance.<sup>3</sup>

By these bulls the papal inquisition was regularly set to work in northern France, and the fires of orthodoxy soon began to blaze at La Charité.<sup>4</sup> We do not know how many were put to death at this time, but that Friar Robert went aggressively to work is evident from the reaction which followed and also from such appeals from his sentences as have come down to us.<sup>5</sup> One of these may serve to illustrate his methods. A certain Pierre Vogrin, of Souvigny, in the diocese of Clermont, who had been at La Charité at the time of the episcopal inquisition of 1231 and 1232, had cleared himself before the inquisitors by the canonical purgation. Accused again by certain of his enemies, he had satisfied the bishop of Clermont and other prelates of his innocence. A third summons came to him from Friar Robert after his appointment and when Pierre appeared before them and agreed to submit to their jurisdiction, the friar and the bishop of Clermont promised him that he would not be compelled to appear before either of them separately and that the legal procedure would be observed. Notwithstanding this, Robert, without waiting for his colleague, cited to him a dangerous place before the appointed time, publicly threatening to take him and bringing an armed band to the spot, whereupon Pierre prudently staid away and took an appeal to the Pope, sending his nephew to represent him and notify Robert of his appeal. The inquisitor then excommunicated the nephew and suspended him from his benefice—he was a priest—until he should renounce his uncle's defense. Peter then started for Rome, but in spite of his appeal was excommunicated by Robert and a certain Franciscan whom he had pressed into service in place of the bishop of Clermont.<sup>5</sup>

<sup>1</sup> Bull *Gaudemus*, as above.

<sup>2</sup> This bull has been lost but is referred to in the bull *Quo inter ceteras*, of August 22, 1235 (Auvray, 2737; Potthast, 9994; Fredericq, *Corpus*, II. No. 28).

<sup>3</sup> Fredericq, *Corpus* I. No. 89; Potthast, 9143.

<sup>4</sup> Mousket, vv. 28877 ff.

<sup>5</sup> Bull of November 8, 1235, to the bishop of Nevers, the Dominican provincial prior, and the archdeacon of Paris, published by Sbaralea in his *Bullarium Franciscanum*, I. 177, and by Auvray, 2825 (Potthast, 10044).

Such open disregard of a bishop and contempt for the findings of predecessors would naturally irritate the higher clergy, already jealous of the growing privileges and influence of the Mendicant Orders. It appears further that Robert did not limit his efforts to the region of La Charité. We find him also in company with another friar, Jacques, on the lands of the Count of Champagne, where he is engaged in a conflict of jurisdiction with the chapter of St. Quiriace of Provins over a certain Gile, nicknamed "the abdess,"<sup>1</sup> whom he had put in prison as a heretic. They style themselves "judges delegated by the Pope against heretics in the kingdom of France,"<sup>2</sup> and it is evident from what followed that victims were sought in still other dioceses less notorious than that of Auxerre as centers of heresy. "Pernicious activity" of this sort was a direct reflection on the zeal and efficiency of the French bishops, and it is not strange that some of them soon protested to the Pope, declaring that there were no heretics in their dioceses. The documents are lost, but their general tenor is clear from some pointed allusions in later letters of the Pope.<sup>3</sup> These objections must have been urged

<sup>1</sup> On Gile "the abdess," compare Albericus, M. G. H. SS. XXIII. 945.

<sup>2</sup> Frater Robertus iudex contra hereticos mandat regi ut deliberet decano et capitulo Sancti Quiriaci Gilam abbatissam suam, ut dicunt, si ita est.

Nobili viro Theobaldo comiti Campanie et Brie fratres Robertus et Jacobus de ordine Predicatorum, iudices a domino papa contra hereticos in regno Francie delegati, salutem in Domino. Quoniam ex precepto nostro Gilam dictam abbatissam detinetis in carcere, quam venerabiles viri decanus et capitulum Sancti Quiriaci de Pruvino suam asserunt esse mulierem, auctoritate (MS. actum) nobis commissa vobis mandamus quatinus, si est ita sicut dicunt, eam absque contradictione aliqua tradatis eisdem ad custodiendum, et custodes a rebus et domibus dicte G. removeatis, si forte aliquos posuistis.

Datum anno Domini M<sup>o</sup>CC<sup>o</sup>XXX<sup>o</sup>III<sup>o</sup>, die martis ante cathedram sancti Petri [February 21, 1234.] Bibliothèque Nationale, MS. Lat. 5993 A (Cartulary of Champagne known as *Liber Pontificalis*), f. 412. Cf. Bourquelot, *Histoire de Provins*, I. 182. There is an incorrect analysis in D'Arbois de Jubainville, *Catalogue des actes des Comtes de Champagne*, No. 2293 (*Histoire des Comtes de Champagne*, V. 332). This is the only document issued by Friar Robert that I have found.

Cf. also the following document relating to the same subject:

Item compromiserunt in bonos super immuratione Gile abbatisse et magna iusticia hominum ecclesie sue.

Omnibus presentes litteras inspecturis Gaufridus decanus totumque capitulum ecclesie Beati Quiriaci Pruvinensis, salutem in Domino. Noverit universitas vestra quod cum illustris dominus Th., Dei gratia rex Navarre et comes Campanie et Brie palatinus, moveret contra nos questionem super inmur [mur] atione Gile dicte abbatisse et rebus eiusdem et super magna iusticia hominum nostrorum de Pruvino pro sceleribus suis ad mutilationem membrorum vel ad mur[mur]ationem vel ad mortem dampnandorum et super rebus eorum, tandem in venerabiles viros dominum Petrum de Janicuria et dominum Ansellum de Cremonia compromittimus, ratum et firmum habituri quidquid super predictis dicti arbitri pace vel iudicio duxerint statuendum. Datum anno Domini M<sup>o</sup>CC<sup>o</sup> trecesimo quarto, mense Januario [1235]. MS. Lat. 5993 A, f. 436; analysis in D'Arbois, *Catalogue*, No. 2319.

<sup>3</sup> Bulls *Dudum* and *Quo inter ceteras* of August, 1235 (Auvray, 2735, 2736, 2737; Potthast, 9993, 9994, 9995).

with considerable force, for in February, 1234, the Pope, declaring in the midst of an extraordinary mixture of metaphors that he had never intended to authorize their proceedings in regions that were free from taint of heresy, ordered the Dominicans to suspend their functions as inquisitors entirely, except where the archbishop and his suffragans called them in, a course which he warmly recommended to the several archbishops.<sup>1</sup>

Accordingly, early in 1234, Robert was obliged to cease his pursuit of heretics. People whom he had imprisoned were still maintained at public expense,<sup>2</sup> but there is no evidence that any bishop followed the Pope's advice to the extent of employing the terrible inquisitor.<sup>3</sup> How the friar occupied himself during this enforced vacation, it is impossible to say. We know that early in 1234 a royal messenger was sent to him "for the bailli of Bourges,"<sup>4</sup> and that in November of the same year Gregory IX. addressed him at Paris. Evidently Robert remained in full favor with the Pope and with St. Louis, for the Pope appealed to him to use his influence to

<sup>1</sup> Bull *Olim intellecto* to the prior provincial of the Dominicans, February 15, 1234 (Auvray, 1764—limited in this form to the province of Sens). The same, February 4, 1234, to the Archbishop of Sens and his suffragans (Auvray, 1763; Pottast, 9388). The same, February 4, 1234, to the Archbishop of Rheims and his suffragans (Pottast, 9386; Fredericq, *Corpus*, I. No. 93; not in Auvray). The same, without date, to the dean and chapter of Bourges—the see was vacant—and the bishops of the province, in the cartulary of the chapter of Bourges (Bibliothèque Nationale, MS. Lat. n. a. 1274), p. 42. This copy, which is headed "De revocatione jurisdictionis fratris Roberti," differs from the other bulls in revoking the authority of Robert alone, not of the Dominican inquisitors generally. The explanation would seem to be that while the diocese of Bourges itself was in the north, adjoining that of Auxerre, the other dioceses of the province were in the south, where the Dominicans were working under different commissions. The copy in the cartulary breaks off about the middle, just before the word "oculis." On the authorship of this cartulary see Delisle, in the *Bibliothèque de l'École des Chartes*, LX. 7-44.

<sup>2</sup> At St. Pierre-le-Moutier, not far from La Charité. Prévôt's account, Ascension term, 1234, in H. F. XXII. 570 J. From the documents published above it appears that Gile "the abbeß" was likewise in prison at this time. Heretics are also mentioned in the royal accounts of All Saints' term, 1234 (Sens), and Candlemas term, 1235 (Paris), in the *Bibliothèque de l'École des Chartes*, XXVIII. 621 (Cf. Tillemont, *Histoire de St. Louis*, II. 292); and in the account of the king's household, Ascension term, 1234, in H. F. XXI. 227 F, 237 B. DuCange, under "Bulgari," interprets the words "bongri" and "bogrii" in such passages as meaning usurers. It is often difficult to determine in a given case whether the word refers to heresy, usury or unnatural vice; one of these crimes was frequently supposed to involve the others.

<sup>3</sup> Albericus, M. G. H. SS. XXIII. 936, speaks of Robert's activity as inquisitor "throughout France" in 1234. But this is very doubtful, unless it applies to the beginning of the year. Chronological exactness is not always the strong point of this chronicler.

<sup>4</sup> "Simon de Sancto Germano, ad fratrem Robertum, pro baillivo Bithuricensi, xx. s." Account of the King's household, Ascension term, 1234, H. F. XXI. 233 E. The date of the entry is March 24 or thereabouts, but there is no indication when the service was performed or just what its purpose was. The King had been at Bourges late in February and perhaps into March (H. F. XXII. xxxv).

secure peace between the kings of France and England,<sup>1</sup> and wrote to him on behalf of Florentine merchants who had been accused of heresy;<sup>2</sup> and in the following year he was restored to more active service.

CHARLES H. HASKINS.

<sup>1</sup> Bull of November 6, Auvray, 2185.

<sup>2</sup> Bull *Accurri* of November 23, "priori et fratri Roberto de ordine Predicatorum Parisiensibus," Auvray, 2221 (Potthast, 9772, following Ripoll, has "fratri Raynerio"). There is also a bull of November 20, 1234 ("Relatum est auribus") relating to Florentine merchants which is addressed "Fratri R." in the text of Ripoll (*Bullarium Ordinis Praedicatorum*, I. 71, No. 115; Potthast, 9766) and Auvray (No. 2216), but reads "Fratri Roberto ordinis Predicatorum Parisius" in the *Analecta Ordinis Fratrum Praedicatorum*, IV. 383.



## STUDIES IN THE SOURCES OF THE SOCIAL REVOLT IN 1381

### V-VI.

#### V. THE DEATH OF TYLER.

AN investigation of the tragedy at Smithfield should begin with a few words on the remarkable man about whose death the action centers. For although he has received some attention from modern historians,<sup>1</sup> no one has yet attempted to put together what we may actually know of him from all available contemporary sources. Nor can the special investigator find excuse in the fact that this testimony is very meager in character, and was written by men inflamed by hostility towards the revolt and its leader.

As in the case of Jack Cade in 1450, we are at the outset confronted by the question whether there were one or two chief rebel leaders by the name of Wat Tyler in 1381. No less an authority than the late Bishop of Oxford was of the opinion that among the several leaders by the name of Tyler in 1381, there were two Walters. He identifies Walter Tyler of Maidstone mentioned by Stowe, with one called a Kentishman in the act of attainder of 1381, and considers him a different individual from Walter Tyler, of Essex, who figures in the jury indictments.<sup>2</sup> But this act of attainder merely mentions Tyler as captain of Kent, and not as a Kentishman.<sup>3</sup> Furthermore, it is evident from the *Anonymous*

<sup>1</sup> Among modern authorities Tyler has met with very unfavorable treatment at the hands of Pauli and Bergenroth (*Geschichte von England*, IV. 531; *Hist. Zeitschrift*, II. 75), and especially by Réville (*Soulèvement*, II. 54); Rogers is much more favorable (*Agriculture and Prices*, I. 94; *Work and Wages*, 262). Maurice exaggerates his importance, and places him and Ball with Langton as the great popular leaders of the Middle Ages (*Tyler, Ball and Oldcastle*, 25). The best modern estimates are those of Petit-Dutaillis, in Réville, *Soulèvement*, LXXVIII., and Tait, *Dict. Nat. Biog.*, sub "Tyler."

<sup>2</sup> *Const. Hist.* (4th ed.), II. 478. William Tegheler of Stonestreet (*Arch. Cant.*, III. 93) and Simon Tyler of Cripplegate (*Rot. Parl.*, III. 112) are leaders or culprits of local importance not otherwise mentioned. The pretty story about John, the tiler of Dartford, whose Roman revenge on the tax-collector for the outrage on his daughter caused the rebellion there, may have some foundation of truth; but in Stowe's own narrative, this is not the Kentish leader (Stowe, *Annales*, 284).

<sup>3</sup> *Rot. Parl.* III. 175: "Quex malfesours en les dites countes ascunes de eux lour furent capitaines principales, chevyntheynes . . . come Wauter Tyler del countes de Kent, Jakke Strawe en Essex, John Hanchach en le counte de Cantebr'; Robert Phippe en le countee de Hountyngdon."

*French Chronicle*, from which Stowe drew his information, that the Maidstone band, of which Tyler was captain, committed the very acts of rebellion in Canterbury and in Kent for which Tegheler of Essex was indicted as leader by the Kentish juries.<sup>1</sup> This was the same individual who acted as spokesman of the insurgents at Blackheath,<sup>2</sup> and who figured as their chief captain and spokesman at Mile End and Smithfield.

Because the continuation of Knighton tells us that at Smithfield Tyler's name was changed to that of "Jakke Strawe," Mr. Trevelyan believes that his identity is much in doubt, and inclines to Stubbs's opinion.<sup>3</sup> But this continuation was written at Leicester, and the writer was ill informed on London events.<sup>4</sup> All chroniclers who wrote nearer London, or were well informed, and the official city record of the revolt, call the Smithfield leader Walter Tyler.<sup>5</sup> Besides this there is an abundance of testimony to show that Strawe was captain of Essex as Tyler was of Kent.<sup>6</sup> A mistake of confounding the two chief leaders of the insurgents is easily explained.

The identity of Tyler is established beyond a doubt by the Kentish jury indictments. The jurymen of Maidstone, where he was elected captain, would certainly have known whether he was their fellow-townsmen, and they distinctly inform us that he was from Colchester.<sup>7</sup> This statement finds confirmation in two other indictments taken at the same time by men of the country through which he passed, viz.: those of Faversham and Downhamford, which tell us that he was an Essex man.<sup>8</sup> Our chain of evidence is completed by the statement of a reliable contemporary chronicler to the effect that a tiler of Essex was spokesman of the insurgents at Blackheath.<sup>9</sup> It is interesting to know, as well as confirmatory of the above conclusion, that John Ball, prophet and chief organizer of the revolt, was likewise of Colchester, from which, as I hope to show at some future time, the revolt was originally fostered and organized.

It has been generally assumed by modern authorities that Wat

<sup>1</sup> *An. Fr. Chr.*, 512, 518.

<sup>2</sup> *Contin. Eulog.*, 352.

<sup>3</sup> *England in the age of Wycliffe*, 367; Knighton, II. 137. The same mistake is made by John Malverne (Higden's *Polychronicon*, IX. 5), who wrote at Worcester after 1394, and in a contemporary poem on the Revolt (Wright, *Pal. Poems and Songs*, I. 136) and in *A Fifteenth Century London Chronicle* (Ed. Tyrrel, 74).

<sup>4</sup> Below, 467.

<sup>5</sup> For example, *An. Fr. Chr.*, 518-520; Mon. Evesham, 29; Walsingham, *Hist. Angl.* I. 463-465; Riley *Memorials*, 451.

<sup>6</sup> The act of attainder just cited; *Hist. Angl.* II. 9; Froissart, IX. 390.

<sup>7</sup> Powell and Trevelyan, *Peasants' Rising and the Lollards*, 9.

<sup>8</sup> *Arch. Cant.*, III. 92-93.

<sup>9</sup> *Contin. Eul.*, 352.

was a tiler by trade, and he is indeed so called by two contemporary chroniclers.<sup>1</sup> This assumption, however, has probably been drawn from his name by both contemporary and modern authorities. But in the latter part of the fourteenth century a man's name did not usually furnish a clue to his occupation. Chaucer, for example, was no shoemaker,<sup>2</sup> and an examination of the poll-tax roll of 1381 will show that the same is true for the peasantry there enumerated.<sup>3</sup> To judge from the character of the revolt, and from Tyler's behavior at Smithfield, it indeed seems likely that, like the men he led, he was a peasant.

Of his previous life we know practically nothing. Froissart's characteristic anecdote of his revenge on Richard Lyons has found some acceptance. During the French war Tyler had been page to this London merchant, who had on one occasion beaten him; this Tyler never forgave, but as soon as he obtained control of London beheaded his old master. From our previous experience with Froissart we may assume that this is probably a mere rumor used to find a motive for Lyons's death, which was in reality occasioned by quite another cause.<sup>4</sup> We likewise know very little of Tyler's character. Walsingham and Froissart, the only chroniclers who dilate on this point, are agreed in considering him a villain and an impudent rogue. As their testimony is confined to bad names and denunciations, it requires no refutation in detail.<sup>5</sup> Neither does that of John Gower's allegorical poem, *Vox Clamantis*, in which Tyler is likened to a jay, and called a chief of hell, a demon among a legion of devils.<sup>6</sup> Nor can we infer that he was a boasting demagogue, drunk with his glittering fortune, and having lost every notion of reality,<sup>7</sup> from the fact that he cracked a joke in his command to the abbot of St. Alban's to do justice to the townsmen. His reputed insolence at Smithfield seems, in our best informed source, to have been rather the lack of manners than anything else.

Whatever his character, there can hardly be question as to the ability of Tyler. Gower's statement as to the eloquence of the jay "*edoctus in arte loquendi*," finds confirmation in the continuation of

<sup>1</sup> *Contin. Eul.*, as above; Walsingham, *Hist. Angl.*, I. 463.

<sup>2</sup> The value of the illustration is not affected by the question whether we shall retain the old etymology of Chaucer or adopt the new one suggested in the *Athenaeum*, Jan. June, 1899, pp. 145, 210, 242, 274, 338, 435, 468.

<sup>3</sup> In the Suffolk roll, for example, very few of the peasantry have names indicative of their trade. Powell, *East Anglia Rising*, 67-119.

<sup>4</sup> *Chroniques*, IX. 400-401. He had been convicted of various frauds by the good Parliament, but was spared by royal favor. Trevelyan, *Age of Wycliffe*, 10, 11, 24.

<sup>5</sup> *Hist. Angl.*, I. 463-464; *Chroniques*, IX. 410, 412.

<sup>6</sup> *Vox Clamantis* (ed. H. O. Coxe, London, 1850), 46.

<sup>7</sup> *Soulèvement*, 11.

<sup>8</sup> *An. Fr. Chr.*, 518-519.

the *Eulogium*, which tells us that he was very eloquent.<sup>1</sup> To this eloquence his ascendancy over the insurgents was no doubt partly due. For on the most important occasions—at Blackheath, Mile End and Smithfield—he acted as their spokesman. That he enjoyed their confidence and respect is evident from the testimony of Walsingham to the effect that he was the idol of the peasants, who thought that there would never be a greater in the kingdom than he, nor would laws of the land proceeding from any other source be valid.<sup>2</sup> The same chronicler, who is bitterest of all against him, grudgingly acknowledges his ability, in that he tells us that he was a shrewd man, endowed with great intelligence,<sup>3</sup> if only it had been applied to right purposes. This estimate is confirmed by what we can ascertain of his leadership of the revolt. From Maidstone, where he was elected captain, to Smithfield, where he fell a victim to the peasants' cause, Tyler seems to have been the chief director of the movement. It was he who carried on the negotiations with the Bishop of Rochester at Blackheath, who presented the demands of the insurgents at Mile End, and also their last requirements at Smithfield.<sup>4</sup> The levies of the shires about London were summoned in his name and, when the townsmen of St. Alban's wished to proceed against their abbot, they first obtained his permission and advice, swearing to obey his instructions.<sup>5</sup> A strong proof of his importance as a leader is the complete collapse of the revolt after his death at Smithfield.

It required ability above the common thus to lead a great and motley rebellion; to curb the populace and at the same time keep in harmony with the other leaders, some of whom, like John Ball and Jack Straw, captain of Essex, probably had followings as strong as his own; to keep to the last about him the most formidable elements of the insurrection in support of demands which, as will soon appear, were far too radical for the times.

The following is the traditional idea of the events at Smithfield, which resulted in the death of Tyler, as given in the picturesque account of Green:<sup>6</sup>

"Many of the Kentishmen dispersed at the news of the king's pledge to the men of Essex, but a body of thirty thousand still surrounded

<sup>1</sup> *Ibid.*, 252: "Unus tegulator de Essex qui valde eloquens fuerat."

<sup>2</sup> *Hist. Angl.*, I. 468: "Idolum rusticorum . . . nunquam putaverunt majorum in regno futurum, nec leges terrae de caetero valituras."

<sup>3</sup> "Vir virsutus et magno sensu praeditus, si ingenium decrevisset bonis usibus adaptasse."

<sup>4</sup> *Contin. Eulog.*, 252; *An. Fr. Chr.*, 517, 519.

<sup>5</sup> Walsingham, *Hist. Angl.*, I. 469.

<sup>6</sup> *Hist. Engl. People*, I. 478-479.

Wat Tyler when Richard on the morning of the fifteenth encountered that leader by a mere chance at Smithfield. Hot words passed between his train and the peasant chieftain who advanced to confer with the king, and a threat from Tyler brought on a brief struggle in which the mayor of London, William Walworth, struck him with his dagger to the ground. 'Kill! kill!' shouted the crowd, 'they have slain our captain!' But Richard faced the Kentishmen with the same cool courage with which he faced the men of Essex. 'What need ye, my masters!' cried the boy-king as he rode boldly up to the front of the bowmen. 'I am your captain and your king; follow me!' The hopes of the peasants centered in the young sovereign; one aim of their rising had been to free him from the evil counsellors who, as they believed, abused his youth, and at his word they followed him with a touching loyalty and trust till he entered the Tower. His mother welcomed him within its walls with tears of joy. 'Rejoice and praise God,' Richard answered, 'for I have recovered to-day my heritage which was lost and the realm of England!'"

In reality, the events were quite different. The meeting was not an accident, but a prearranged affair in which the King was to acquiesce in demands in addition to those granted on the previous day at Mile End. The insurgents were first on the field, and when the royal train arrived on the opposite side, Walworth was sent to conduct Tyler into the King's presence. Tyler complied and rode across the extensive field. Dismounting, he knelt before the King and assured him, in crude fashion, of the loyalty of the commons. At Richard's request he presented their demands, which required, in addition to the Mile End articles, some further safeguards against the statute of laborers, apportionment of the forest, free hunting and fishing, and a radical reformation of the church in the interests of the commons. The King accepted these demands, and promised to embody them in a charter. Tyler then refreshed himself with a tankard of beer and mounted his horse to return to his men. During these negotiations the King's followers had surrounded Tyler in a manner which prevented him from being seen across the broad field by his own men. One of their number, a young Kentish nobleman, having obtained the King's permission, deliberately and repeatedly insulted Tyler, evidently with the intention of provoking him into some act which would give a pretext for his arrest. This was accomplished when Tyler at length drew his dagger, and, while resisting arrest at the mayor's hands, he was struck down by the mayor of London and the royal retinue. The insurgents on the other side of the field had not seen what actually occurred, and were told that their leader was being knighted. But when they saw a horse dash from the crowd, and the rider, who was actually their leader, fall to the earth, they become suspicious and began to draw their bows. Then the young King bravely rode across the field

and commanded them to meet him at St. John's Field. They were told that the new knight, their leader, would meet them there. So they marched to St. John's Field, but not with the King at their head, for he went there by another route. Meanwhile the mayor had ridden back to London and called out the military levy of the city, which had been waiting in readiness. Commanded by the aldermen they issued from the different gates and surrounded the insurgents, and when the mayor appeared bearing Tyler's head on the point of a lance, the insurgents were panic-stricken and glad enough to return home with the achievement of the articles of Mile End. The death of Tyler, however, was no accident, but a state murder, the chief part of a successful scheme to effect the dispersal of the insurgents. The plot was hatched in the King's council, and was daringly carried out by London's intrepid mayor and England's youthful King.

So radical a departure from the accepted view obviously requires a full investigation of the chief historical sources of the event. Green's account is nothing more than a condensation of Froissart, who has been relied upon to a greater or less extent by all modern authorities.<sup>1</sup> Other historians have based their accounts on that of Walsingham, which in some respects confirms Froissart's,<sup>2</sup> and even the latest writers have assigned weight to his statements.<sup>3</sup> We must therefore briefly consider the value of Walsingham's work, the *Chronica Majora*.

In the previous investigation on the *Evesham Chronicle*<sup>4</sup> it was shown that both the *Chronicon Angliae* and the *Historia Anglicana* were derived from a common original, the lost *Chronica Majora Sancti Albani*. This is also true of their account of the rising in 1381, which is evidently derived from the same source.<sup>5</sup> Our investigation is therefore concerned with the historical value of this lost original.

Let us first attempt to establish the time of its origin. The independent part of the *Historia Anglicana* begins in 1377 and ends in 1422. Mr. Riley has already shown that the section 1377-1392 was written after April 23, 1394, because in 1378 the author refers to Sir Hugh Caverley, who died on that date, as dead.<sup>6</sup> As the

<sup>1</sup> Bergenroth gives practically a translation. *Hist. Zeitschrift*, II. 79-81.

<sup>2</sup> *Gesch. v. England*, IV. 532; Maurice, Tyler, Ball and Qldcastle, 180-181; Stubbs, *Const. Hist.* (4th ed.), II. 480-481.

<sup>3</sup> Viz., Trevelyan, (242-243) and Petit-Dutaillis (Réville, xciv).

<sup>4</sup> Above, 269-270.

<sup>5</sup> The *Historia* contains additional matter on the local revolt at St. Alban's, but this too is derived from the same original. For it is also to be found in Walsingham's *Gesta Abbatum Sancti Albani* (ed. H. T. Riley, *Rolls Series*, 1876-1879), which is based on the *Chronica Majora* (*Ibid.*, II. 109; III. 332).

<sup>6</sup> *Ibid.*, I. x.

same passage is to be found in the *Chronicon Angliae*<sup>1</sup> it must have been in their common original, and the corresponding part of the *Chronica Majora* must have originated after the same date. This part, however, must have been written before the accession of the House of Lancaster in 1399. For the *Chronica Majora* contained the objectionable references to John of Lancaster, which are still to be found in the *Chronicon Angliae* and other derivatives, but which the *Historia Anglicana* omitted or changed.<sup>2</sup> The account of the revolt in the *Chronica Majora* must therefore have been written between thirteen and eighteen years after the occurrence. The few known details of Walsingham's life have been ably discussed by Dr. Gairdner and Mr. Riley.<sup>3</sup> Suffice it here to say that he was precentor and scriptorarius of St. Alban's abbey for some time previous to September 4, 1397, when he was elected prior of Wymundham. In the early part of 1397<sup>4</sup> he returned to the abbey and devoted the remainder of his days to historical work. His death occurred after August 31, 1422.<sup>5</sup>

Walsingham's work is a valuable and important source for English history from 1377 to 1422. His account of the revolt is the longest contemporary narrative in our possession, numbering seventy-one pages of the printed text in the Rolls edition. It is, however, much influenced by local surroundings, and is about what might be expected from a monk whose abbey had been grievously injured by the insurrection. Though violently prejudiced, his account of the local revolt at St. Alban's, which comprises the greater part of his narrative, is vivid and detailed,—being evidently the work of an eye witness. On the other hand, London events are very inaccurately described. Of the three most important occurrences in the city, the meeting at Mile End, the siege of the Tower, and the meeting at Smithfield, he omits the first altogether, gives a wrong description of the second,<sup>6</sup> and is ignorant of the purpose of the third. His principal efforts are reserved for the wrongs committed by the insurgents, and he never loses an occasion of pouring out the vials of his wrath upon them, exhausting his Latin vocabulary in terms of

<sup>1</sup> *Hist. Angl.*, I. 372; *Chr. Angl.*, 201.

<sup>2</sup> *Chr. Angl.*, xxx-xxxiv.

<sup>3</sup> Gairdner, J., *Early Chroniclers of England* (London n. d.), 270-272; *Hist. Angl.*, II. pp. x, xx-xxi.

<sup>4</sup> He so states in *Gesta Abbatum* (III. 436) that he was recalled by Abbot John de la Moote "paululum post suam installationem." Now this installation took place on St. Clement's day, Jan. 23, 1397 (*Gesta*, III. 433). Riley states that he returned in 1400 (*Hist. Angl.*, II. xx), but without citing his authority.

<sup>5</sup> He refers in his narrative to the death of Charles VI. of France, which occurred at that date (*Hist. Angl.*, II. 344).

<sup>6</sup> *Ibid.*, I. 458-459.

revilement.<sup>1</sup> This is no longer the work of a chronicler seeking to relate the truth, but that of an advocate striving to place the insurgents in the worst light possible.

Let us now consider some of the statements of Walsingham that have been generally accepted. To him we owe our idea of the character and composition of the rebel army which refused to leave London and afterwards faced the King at Smithfield. The court indeed made every effort to induce them to retire. While the main band of the insurgents, under pretext of the King's grant to search out and behead all traitors were killing the Archbishop, the treasurer and the other victims, the King's chancery was engaged in the work of issuing the promised charters of freedom. For this purpose the Earl of Arundel had been temporarily appointed chancellor and given custody of the great seal, soon after the arrival of the royal train at the Tower Royal. A large number of clerks was set to work drawing up the promised charters, which were delivered free of charge.<sup>2</sup> Judging from the survivals, two forms of pardons were issued: general charters of manumission and pardon for all serfs within the shire, directed to the sheriffs of the different counties, and particular letters, directed to lords of liberties and manors. The latter were given to the representatives of dependent villis and towns.<sup>3</sup> Throughout the next day the work of liberation continued, and the number of insurgents in the city steadily decreased. Leaving representatives behind to receive the promised charters, many of the contingents retired homewards. By the afternoon of the following day, probably half of their army had departed.

Who were they that remained? According to Walsingham it was the Kentishmen; the men of Essex returned home. Modern authors try to explain his theory by the supposition that the former were mainly serfs, and therefore satisfied with the concessions of Mile End, but that these did not go far enough for the latter, who, being freemen, cherished political grievances. According to Stubbs it was the political rebels of Kent who beheaded the ministers and committed the outrages of Friday, and Bergenroth thinks that, by granting the articles at Mile End, the King shrewdly separated the cause of the servile from that of the free peasantry. This entire hypothesis is based on the supposition that it was chiefly the

<sup>1</sup> The townsmen of St. Alban's are "fallax turba, gens perfida, populus dolosus, viri mendaces, homines fraudulentis, proximi vicini invidi, beneficiis semper ingrati . . . ut vere iniquitatis filii, patrem totius ingratitude et mendaciorum, diabolum imitantes" (*Hist. Angl.*, II. 30). The insurgents who slew the Archbishop were "ribaldi, perditissimi, ganeones, daemioniaci" (*ibid.*, I. 459). The originators of the revolt in Essex were "quinque millia vilissimorum communium et rusticorum" (*ibid.*, 454).

<sup>2</sup> *An. Fr. Chr.*, 518; Froissart, IX. 406.

<sup>3</sup> *Chron. Adae de Usk*, 2; Walsingham, *Hist. Angl.*, I. 467, 473.



men of Essex who met the King at Mile End.<sup>1</sup> But we have seen in the preceding paper that *all* of the insurgents about London were present at Mile End to receive the King's grant. Both Essex and Kentishmen participated in the execution of the ministers and other political outrages; in fact, Tyler, Ball and Straw, the trio which controlled the revolt and led those who remained at London, were all Essex men.<sup>2</sup> We have seen how freemen as well as serfs profited by the articles of Mile End, and that the latter were political as well as social. And we shall find among the demands made by the insurgents at Smithfield an article intended for the benefit of the serfs only.<sup>3</sup>

In these demands of Smithfield the answer to our question is to be found. Those remained behind who wished to achieve more radical ideals, both political and economic, than had been conceded at Mile End, but especially those who desired to reform the church according to the religious ideals of John Ball, for which the great masses of English peasantry could not be depended upon to endanger such vital interests as the abolition of serfdom, labor services, and the statute of laborers. Men of Kent and London were indeed there, but also men of Essex, the home of Ball, where his teachings had been longest propagated, and serfs, as well as freemen were among them.

For the negotiations between Tyler as leader of the insurgents and the royal council we are again dependent on Walsingham, who alone mentions them.<sup>4</sup> He tells us that Tyler refused to give a statement of his demands until the following night, and rejected three separate forms of charter drawn up for his approval. He demanded a commission to behead all lawyers, and was said to have openly boasted that within four days all laws would issue from his mouth,<sup>5</sup> but in reality he was only trying to gain time in order to burn and despoil London. Our previous experience with Walsingham warrants us in rejecting this narrative, especially as the demands actually made by Tyler were nothing like these supposed requirements.<sup>6</sup> The latter was right, though, in supposing that the council

<sup>1</sup> Stubbs, *Const. Hist.* (3d ed.), II. 480, 483; Bergenroth, *Hist. Zeitschrift*, II. 78; Pauli, *Gesch. v. Engl.*, IV. 530-531; Petit-Dutaillis (*Réville*, lxxix); Tait, *Did. Nat. Biog.*, sub "Tyler."

<sup>2</sup> Riley (*Memorials*, 450) and Walsingham, (*Hist. Angl.*, II. 15) tell us that an Essex man beheaded the Archbishop.

<sup>3</sup> A reiteration of the demand for the abolition of serfdom, *An. Fr. Chr.*, 519.

<sup>4</sup> *Hist. Angl.*, I. 463-464. He has been followed by all modern authorities attempting to give details.

<sup>5</sup> This reputed boast in regard to the law has been accepted by Pauli (*Gesch. v. England*, IV. 533) and is used with fine effect by Shakespeare in his impersonation of Jack Cade. *Henry VI.*, Pt. II., act IV., scene VI.

<sup>6</sup> Cf. the sixth article of this series.

was trying to induce Tyler to withdraw his forces from London, on the basis of the articles granted at Mile End. For in the morning of the same day a proclamation had been made that all the commons should return home, but this was not heeded. Tyler evidently insisted that the King again meet the insurgent army and grant a new series of demands, and this was conceded. Royal proclamation was accordingly made summoning the commons to Smithfield at vespers of the same day.<sup>1</sup> The chroniclers have left charming accounts of how the King, followed by a train of 200 retainers, prepared himself for the coming ordeal by solemn religious devotions at Westminster in the afternoon (3 p. m.).<sup>2</sup>

In connection with the accepted version of the meeting at Smithfield there are two incidents which are of themselves surprising and which certainly deserve explanation. One of these is the conduct of Tyler himself. Is it not strange that a man accredited by his enemies with having good sense should have begun an unprovoked quarrel with an unoffending knight, instead of trying to get the King's assent to the articles which it was his business to present? Another surprise is afforded by the conduct of Tyler's followers. Would an infuriated multitude, which had just slain the primate of England and even threatened the King himself with death, have stood tamely by while its beloved leader was being slain, without even raising a hand in his behalf? The strange conduct of Tyler can best be considered in the account of the meeting which will be presently given. The action of the insurgent army, however, requires immediate consideration.

Did the insurgents witness Tyler's death? According to Walsingham they did, and this view is also maintained by the continuation of Knighton's *Chronicle*. Let us briefly consider the historical value of this new testimony. The fifth book of Knighton's *Chronicle* is, in reality, a continuation, the author of which was indeed a monk of Leicester abbey,<sup>3</sup> but not Knighton himself.<sup>4</sup> His account of the revolt at Leicester is detailed and good, but his narrative of London events is inferior, as we should naturally ex-

<sup>1</sup> *Ibid.*, 518. According to *Contin. Eulog.*, 353, it was proclaimed that John of Lancaster with 20,000 Scots was coming against the King, and that the commons should assemble at Smithfield to aid him. This is a fair sample of the rumors current at the time.

<sup>2</sup> *An. Fr. Chr.*, 518. Malverne, 4-5; Mon. Evesham, 28. Froissart (IX. 409) wrongly dates the King's orisons at 9 a. m., instead of the ninth canonical hour (3 p. m.).

<sup>3</sup> This is evident from the frequent references to Leicester and its abbey (*Ibid.*, 125-127, 142-143, 233, 235, 240, 264-266, 313); and from the importance and praise given to John of Gaunt, who possessed Leicester castle and was patron of the abbey (*Ibid.*, 143-149, 207, 208, 313). In spite of his protection of the Lollards and his notorious immorality, John is always for him "*pius dux*" (*ibid.*, 157, 193, 208, 210).

<sup>4</sup> This was pointed out by Shirley (*Fasciculi Zizaniorum*, 524, n. 1), and proved by the editor of Knighton (II. xcvi-xcviii).

pect from one writing at such a distance. The chronology is faulty, and the occurrences are related in false sequence.<sup>1</sup> His account of the events at Smithfield is full of errors. Contrary to other sources, he lets the meeting occur in the morning, and confuses Tyler with Straw, who, he says, was slain at Smithfield. His version of the meeting between the King and Tyler is at variance with the other sources,<sup>2</sup> and is evidently based on purest hearsay. It is evident that his testimony does not belong to that of the more reliable authorities.

But a more important source than the one just considered maintains the idea that the insurgents witnessed the death of their leader. A document which seems to be an official city record of the revolt distinctly states that the mayor in the presence "of our lord the king and those standing by him, lords, knights, esquires and citizens on horseback, on the one side, and the whole of this infuriated rout on the other, most manfully by himself rushed upon the captain of the said multitude, Walter Tyler by name, and as he was altercationing with the king and the nobles, first wounded him in the neck with his sword, and then hurled him from his horse, mortally pierced in the breast."<sup>3</sup> This document is taken from the letter-books or official records of the city. At the outset it announces its purpose by the statement that the events of Corpus Christi day "seem deserving to be committed to writing that it may not be unknown to those to come."<sup>4</sup> From this and from the contents of the document it is evident that its object was to record the part taken by the city, and particularly by Walworthe, the mayor, in suppressing the revolt. It is therefore a political and not an historical record, the authorized version of the party in power to justify and glorify its own actions. Although it is not dated, the events recorded, as well as its place in the letter-books on the same folio with documents of 1381, indicate that it was contemporaneous, or nearly so, with the insurrection. Being therefore a contemporary, official document, its testimony is of value, as the author certainly had the best possible means of information. On the other hand, its political purpose to exalt the actions of the mayor and his followers renders it liable to distort the truth, especially in the case of "that most renowned man, Sir William Walworthe, the then mayor."

In all of the description of the actions of Walworthe this ten-

<sup>1</sup> In contradiction to other sources he has the rebels enter London on Friday, June 14 (p. 132). They entered the Tower and slew the ministers while the King was at Mile End, and plundered the Savoy after this (134).

<sup>2</sup> *Ibid.*, 137 ff.

<sup>3</sup> Riley, *Memorials*, 451-452.

<sup>4</sup> *Ibid.*, 449.

dency is noticeable. Thus in the passage quoted above we are told that he set upon and killed Tyler "most manfully by himself," whereas all the other sources tell us that several participated in the killing, and that the mayor did not inflict the mortal wound. We then hear of an attack of the insurgents, that came with Tyler, on the doughty mayor, who successfully defends himself and escapes unhurt; but of this attack the other sources know nothing.<sup>1</sup> Why should not the same motive, the glorification of his hero, the mayor, have led the writer to describe his great achievement as having been done in the presence of the entire insurgent army? At all events there is room for this suspicion.

But let us see whether all of the sources sanction the hitherto unquestioned hypothesis. We found the anonymous French chronicler the most detailed and reliable of all contemporary historians on the revolt, and concluded that he had probably been an eye-witness at Mile End. Now his description of the meeting at Smithfield is equally vivid and detailed, twice as long, finds even more confirmation among contemporaries.<sup>2</sup> According to his account Tyler was quite a distance away from his men during the struggle, for he spurred his horse towards them, and cried to them for vengeance. But his horse fell at fourscore paces. When the commons saw him fall they did not understand what it meant, as they certainly would had they witnessed his death. Sometime later at St. John's field they learned how he had been slain and were stricken with terror.<sup>3</sup>

The monk of Evesham also implies that the people did not know of Tyler's fate when he tells us that immediately afterwards they demanded to know where their leader was.<sup>4</sup> Froissart, although he lets the people learn of the tragedy in time to bring in the traditional scene, tells us that during the struggle the King's retinue so environed Tyler about that his people could not see him.<sup>5</sup> But most direct of any is the testimony of the *Continuation of the Eulogium*, which tells us that during the struggle the people asked what the King was doing with their advocate, implying that they did not know what was happening. They were informed that

<sup>1</sup> Cf. the account given later, for this and the preceding statement.

<sup>2</sup> This will appear in detail in my narrative of the event.

<sup>3</sup> *An. Fr. Chr.*, 520: "Le comons luy vident chaier et ne scavoient en certayne coment il fust. . . . Pur ceo que ils vident que lor cheifteine Wat Tighler fust morte en tiel manner chayerount al terre en my des blees come gentz discomfitees."

<sup>4</sup> Mon. Evesham, 29: "Unde cito post populo clamanti, 'Ubi est dux noster?' rex, prout deus voluit, inter eos equitando insiliens respondit clamando, 'Ego sum dux vester sequimini me.'"

<sup>5</sup> *Chroniques*, IX. 413: "Sitot comme il fu cheus entre pies, on l'environna de route pars, par quoy il ne fust veus des assambles qui la estoient et qui se dissoient ses gens."

he was being made a knight, and led to believe that he would re-join them in St. John's field.<sup>1</sup>

The *Continuation of the Eulogium*<sup>2</sup> (1364-1413) is the work of an unknown author, who may have been a monk of Canterbury.<sup>3</sup> Although the latter part was written later, the account of 1381 originated before 1404.<sup>4</sup> According to Mr. Haydon, the editor, the narrative is independent of all known chronicles, and its statements are generally confirmed by contemporaries; the number of errors is below the average.<sup>5</sup> This is certainly true of the narrative of the revolt, which is an entirely independent account, full of new information. Its main outlines are confirmed by other chronicles, even its new statements finding corroboration in sources since published.<sup>6</sup> A careful comparison of its account of the revolt with the other sources has convinced me that although terse and not entirely free from errors, this is one of the most reliable contemporary sources.

Let us now briefly sum up the evidence. For the accepted view, that Tyler was killed in sight of his men, are Walsingham and Knighton, both of whom wrote at a distance from London, and whose version of London events is otherwise untrustworthy, and a city record, official and contemporary indeed, but which we have reason to believe distorted the event. Froissart's testimony counts both ways; the insurgents did not witness Tyler's death, but learned of it immediately afterwards. Against the usual view is the testimony of the anonymous French chronicler, who was probably an eye-witness, the monk of Evesham and the continuer of the *Eulogium*,—all of whom our investigations have proved reliable sources. Our verdict must therefore be that the insurgents did not witness their leader's death. On this hypothesis alone we can see why they did not interfere to save or avenge him, and were so easily persuaded to seek St. John's field. From this point of view I shall endeavor to

<sup>1</sup> *Contin. Eulog.*, 354: "Clamabat autem comitiva: 'Quid facit rex cum nostro prolocutore?' Dixerunt alii: 'Facit eum militem.' Et clamaverunt omnes: 'Transite in campum Sancti Johannis et veniet ad vos novus miles.'"

<sup>2</sup> *Eulogium Historiarum sive Temporis, a monacho quodam Malmesburiensi exaratum*, (ed. F. S. Haydon, R. S.) 1858-1863. This work is a well-known compendium of history extending till 1366. Our continuation is one of several published in the third volume.

<sup>3</sup> *Ibid.* III. lii, n. 1.

<sup>4</sup> *Ibid.*, 1. Under 1382 reference is made to the Duke of Burgundy, who died in 1404, as then holding the county of Flanders. *Ibid.*, 355.

<sup>5</sup> *Ibid.*, lxxxi.

<sup>6</sup> For example, its accounts of the beginning of the revolt in Essex and Kent (III. 151-152) is confirmed by *An. Fr. Chr.*, 509-510; its notice of the embassy sent by the city of London to the insurgents by the *Coram Rege roll* (*Eulog.*, III. 352; Réville, 190-191).

describe the death of Tyler, using all available sources. The *Anonymous French Chronicle*, which our investigations have shown to be the most detailed and reliable of the sources, will form the basis of my account, but due consideration will be given to other sources.

We remember that Smithfield was then a large open space just without the walls to the north of London. Its extent may be judged from the fact that on Friday the cattle market was held there, and once a year the great St. Bartholomew's fair. On the west side, the commons in great numbers were drawn up in battle array, while the King and his party came from Aldersgate on the opposite side. At vespers the meeting occurred.<sup>1</sup>

On the King's arrival he ordered the mayor of London to ride across the field and summon Tyler into his presence.<sup>2</sup> The latter came on a small horse, and carrying a dagger in his hand, out of mistrust to the royal retinue. Dismounting he dropped on one knee before the King and heartily shook his hand, while uttering the following curious words: "Brother, be of good cheer and joyful; for you will soon have the fifteenth pledged by the commons more than you had before, and we shall be good comrades."<sup>3</sup> From this it would seem that the commons had even thought of a solution of the King's financial difficulties, and that while refusing to pay the poll-tax, had pledged him a fifteenth.<sup>4</sup> To the King's question why the insurgents would not retire home, Tyler responded in a lengthy speech, setting forth that they demanded a more liberal charter than that of Mile End.<sup>5</sup> He declared that the lords of the realm would rue it if these desires were not granted. Richard then inquired what were these additional points, protesting that Tyler should freely have them without contradiction, drawn up in form of a charter and sealed.<sup>6</sup> Wat then rehearsed a series of demands which were for their time perhaps the most radical ever made in England. The King responded favorably, promising all he could possibly grant, saving the regality of his crown<sup>7</sup> an exception to which the

<sup>1</sup> Riley, *Memorials*, 450, confirmed by *An. Fr. Chr.*, 518, and Mon. Evesham, 28. The continuator of Knighton, whose chronology is otherwise weak, has this meeting occur in the morning. II. 137.

<sup>2</sup> *An. Fr. Chr.*, 518-519. This version is to be preferred to that of Walsingham (I. 464), who has Sir John Newton summon Tyler. His supposition, that the whole fray arose because of the latter's anger at being approached on foot, is incredible.

<sup>3</sup> *An. Fr. Chr.*, 519.

<sup>4</sup> On the march to London they made their adherents swear to pay no taxes but the fifteenths their fathers had known. *Hist. Angl.*, I. 455.

<sup>5</sup> *An. Chr.*, 519; Mon. Evesham, 29; *Cntin. Eulog.*, 353.

<sup>6</sup> *An. Fr. Chr.*, 519: "Il les auoiet voluntiers sans contradiction escript et enseale."

<sup>7</sup> "Le roy respondist esement et dist que il aueroit toute ceo que il purroit bonement grantier, salvant a luy sa regal tie de sa coronne."

commons had themselves agreed in one of their demands<sup>1</sup> and then commanded Tyler to return home without further parley. After this, occurred the event which gave pretext for killing the rebel leader.

Chroniclers are agreed as to the fact that this consisted in some act of audacity on his part which excited the resentment of the King's followers. According to some, he neglected to doff his hood and bow the knee before the King, and was taken to task for this by the mayor.<sup>2</sup> But the same reliable source we have hitherto followed, better informed on details than the rest, tells us that Tyler, who was overheated, called for water and rinsed his mouth, after which he ordered a tankard of beer and drank a great draught in the King's presence. He then mounted his horse in order to ride away. Meanwhile the royal retinue had so surrounded Tyler that he could not be seen by the multitude,<sup>3</sup> and one of the King's followers, a valet<sup>4</sup> of Kent, deliberately began a quarrel with him. Having obtained the King's permission to see Tyler, he stepped forward and declared that he was the greatest thief and robber in Kent. Tyler naturally grew angry, but being too prudent to attack his defamer ordered him to come before him. The latter refused, fearing Wat's attendants, but the lords, wishing to provoke Tyler further, ordered him to obey. Wat then commanded one of his attendants, a standard bearer, to dismount and behead the esquire. The latter said that he did not deserve death, for he had spoken the truth. He justified debating in the King's presence on the plea of self-defense, and reaffirmed his charge. At length, either because he had lost patience, or because he thought himself in danger, Wat drew his dagger.<sup>5</sup> This action in the King's presence gave the desired pretext for his arrest. The mayor of London, whose office it was to arrest him, rushed upon him. Tyler resisted, but his dagger stroke fell harmless upon a cuirass concealed under the mayor's robe, while Walworthe's besclard twice pierced his adversary's neck and breast. The royal retinue then fell upon him. In the mêlée which followed several participated. Ralph Standiche, reputed the King's sword bearer, is said to have pierced Tyler's side, and John Cavendish, an esquire of the King's household, to

<sup>1</sup> Below, p. 479, n. 3.

<sup>2</sup> *Contin. Eulog.*, 353; Mon. Evesham, 28; Malverne, 5.

<sup>3</sup> Froissart, IX. 413.

<sup>4</sup> A valet was the son of a nobleman in military service as a page.

<sup>5</sup> *An. Fr. Chr.*, 519. I take this occurrence to be the basis of Walsingham's statements about the quarrel between Tyler and Newton, and of Froissart's account of the former's absurd insolence toward the King's sword bearer. *Hist. Angl.*, I. 464; Froissart, IX. 412-413.

have given the death wound.<sup>1</sup> Tyler's attendants indeed mingled in the fray, but they were few in number and soon overpowered.<sup>2</sup> In vain did Wat give the spurs to his horse and cry out to the commons to avenge him. His steed bore him but fourscore paces and he fell to the ground.

Meanwhile the insurgents on the other side of the large field had not seen the assault on their leader. They had perhaps been told that their demands had been granted, but on seeing their leader's horse dash forward and its rider fall to the ground, they were at a loss to understand what had happened. Their suspicions were aroused, and they began to draw their bows. Then young Richard spurring his horse rode over to the threatening multitude, and commanded them to meet him at St. John's field.<sup>3</sup> This brave action probably gave occasion to the fine speeches recorded in several of the chronicles.<sup>4</sup> It is however likely that other means were used to quiet the insurgents. They were probably told that the King had granted their demands, as he actually had.<sup>5</sup> The *Continuation of the Eulogium* maintains that they were given to understand that the King had made a knight of Tyler, who would meet them in St. John's field. This explains the ease with which they were induced to march to the place appointed.

Richard does not seem to have ridden at their head, as is usually supposed, but escorted by a portion of his retinue, to have taken a different route.<sup>6</sup> The greater part of the large retinue that had followed him to Smithfield, deserted on the road, either from cowardice, as one of our sources maintains, or, perhaps,<sup>7</sup> because they could render better assistance with the army of rescue then assembling in London.

<sup>1</sup> *An. Fr. Chr.*, 520; Knighton, II. 137; Froissart, IX. 413; *London Chron.* (ed. Tyrrell), 74. The statement of the city memorial (Riley, 450), that Walworthe alone attacked and slew Tyler, contradicts all these sources as well as the less explicit *Contin. Eulog.*, 254; Mon. Evesham, 29.

<sup>2</sup> That Tyler was attended is evident from the testimony of the *An. Fr. Chr.*, 519, which speaks of a standard bearer, and tells us that the Kentish valet feared his attendants. The city memorial (Riley, 457) probably refers to them when it speaks of those who came with Tyler attacking the mayor. They must have been few in number, for the other sources do not mention them, and they were of no avail in defending him.

<sup>3</sup> *An. Fr. Chr.*, 520. Our source says St. Stephen's field, but from its own testimony later on, and that of others, we know that St. John's field is meant.

<sup>4</sup> The different versions are quoted in Réville, *Soulèvement*, xcv, n. 2.

<sup>5</sup> Walsingham has the King promise them this in his speech. I. 465.

<sup>6</sup> According to *An. Fr. Chr.*, 520, the King commanded them to come to him (*venir a uy*) at St. John's field, not to follow him there. The city memorial (Riley, 451) tells us that Walworthe rode "with our lord the king and his people" towards Whitewellbeach, implying that the multitude took another route, since the mayor had just escaped from them; Walsingham (I. 465) and the monk of Evesham (29) think that the King himself led the insurgents forth.

<sup>7</sup> *An. Fr. Chr.*, 520; Mon. Evesham, 29.



Meanwhile the mayor had ridden back into the city to summon the military levy. But two of the aldermen of the King's train at Smithfield who sympathized with the insurgents, were before him. Walter Sybylle and John Horn had from the beginning aided the rebels, and now made a last effort to save their cause. Dashing through Aldersgate down Westcheap, Sybylle exhorted the citizens to close the gates and man the walls, for now all was lost.<sup>1</sup> They indeed succeeded in closing Aldersgate, but could not prevent the mayor from calling out the citizens to the King's rescue. They assembled in the streets together with the retinues of lords and other men-at-arms in the city, perhaps to the number of seven or eight thousand.<sup>2</sup> It was in the main a levy of London citizens, who, like the retinues, had been waiting in readiness.<sup>3</sup> They were commanded by the mayor and aldermen, among whom John Phelipot, Robert Launde and Nicholas Brember were prominent. Sir Robert Knowles also figured among the leaders, perhaps as commander of the men-at-arms who were not Londoners.<sup>4</sup> After dispatching this army to the King, the mayor led a troop of lances to Smithfield in order to make sure of the death of Tyler. On his arrival there he was informed that the chieftain was mortally wounded and had been conveyed by his comrades into the hospital of St. Bartholomew, where he lay abed in the master's chamber. Walworthe had him dragged forth and beheaded in their presence. The bleeding head was thrust upon a lance's point and born with him in his progress to the King.<sup>5</sup>

Meanwhile the insurgents advanced along the main road to St. John's field to await the coming of the King. On his arrival they drew up in battle array in accordance with his command.<sup>6</sup> They were probably uncertain as to the fate of their leader, some expecting to see him led forth a knight. According to the city memorial, which assumes that they had seen him perish, they were altercating with the King and his people, "refusing to treat of peace except on condition that they should first have the head of said mayor,"

<sup>1</sup> *Coram Rege roll*; Réville, 194, 197.

<sup>2</sup> Froissart, IX., 414; his estimates of numbers are usually good. Walsingham tells us that there were but one thousand, but that this number was increased on the road. *Hist. Angl.*, I. 466.

<sup>3</sup> Below, p. 476.

<sup>4</sup> According to the city memorial, Walworthe both assembled and led forth the army. Riley, 451. The *Anon. Chr.*, has the mayor send it forth, and then return to Smithfield to dispatch Tyler; the army appeared at St. John's field under command of the aldermen (*ibid.*, 520). According to Walsingham (I. 466) Knowles was chosen captain, with other knights to act under him.

<sup>5</sup> *An. Fr. Chr.*, 520. Mon. Evesham., 29; Malverne, 6.

<sup>6</sup> *An. Fr. Chr.*, as above.

when he himself arrived with the army of rescue. It is possible that they had in the meanwhile heard of the struggle between him and Tyler, but in the light of our previous investigations, I prefer to follow the *Anonymous French Chronicle*, which tells us the army of citizens, led by the aldermen, first appeared on the scene. Issuing from different gates of the city they surrounded the rebels, and it was after this that the mayor appeared bearing Tyler's head. The King commanded the ghastly trophy to be planted at his side and thanked the mayor, but the commons were stricken with terror and threw themselves on the ground, as people discomfited, crying to the King for mercy.<sup>1</sup>

We must here allow for the exaggeration natural to a partizan source. The insurgents numbered 20,000-30,000 men,<sup>2</sup> while the highest estimate of the King's forces is only 8,000. However, all contemporaries are agreed that the insurgents were glad to come to terms. We have no record of these terms, except that Walsingham informs us that the King gave the charter containing the Smithfield articles.<sup>3</sup> This is in line with his previous statement that Richard promised this in his speech just after Tyler's death, but it seems unlikely in view of the fact that there is no further record of such articles in any of the sources.<sup>3</sup> Some of the royal party, headed by the young King, wished to attack the insurgents, but the more prudent counsel of Sir Robert Knowles prevailed.<sup>4</sup> The insurgents were allowed to disperse unmolested. Most of them retired home peacefully, those who lived south of the Thames being led through London by two knights appointed by the King for that purpose.<sup>5</sup> The understanding seems to have been that the King had sanctioned the revolt up till the meeting at Mile End, and that the articles granted there held good. Throughout the country the peasants thought that their cause had been gained and that a great revolution had been accomplished.<sup>6</sup>

Was the death of Tyler an accident on the part of the King's followers, the deserved result of his insolence, or was it a preconcerted deed, part of a successful plan to effect the dispersal of the insurgents? Let us examine the meager evidence available.

(1) The meeting at Smithfield was so arranged that the multi-

<sup>1</sup> *An. Fr. Chr.*, 520; Malverne, 6.

<sup>2</sup> Froissart, IX. 406, 410; Knighton, II. 138.

<sup>3</sup> We have only to recall the abundance of surviving evidence in regard to the articles at Mile End.

<sup>4</sup> *Hist. Angl.*, I. 466; *Contin. Eulog.*, 354. In line with his idealization of Richard, Froissart represents him as restraining Knowles and the lords. (*Chroniques*, IX. 415).

<sup>5</sup> Malverne, 6.

<sup>6</sup> This is evident from their action in everywhere withdrawing labor service after their return home.

tude did not see what was going on. The King did not ride over to the commons as at Mile End, where they could see him, but stayed on the side of the field nearest London, the gates of which were held by his partizans. Tyler was conducted to the far side of the field out of reach and sight of his men. (2) He was deliberately provoked into an action which would give a pretext for attacking him. After he desired to return, the Kentish valet, with the King's permission, deliberately and repeatedly offered him the greatest insult imaginable. The lords ordered the young nobleman to go before him "*pur veier que il (i. e. Tyler) voideroit faire deuant le roy*,"<sup>1</sup> i. e. to see if he would not commit some act in the King's presence which would give a pretext for arresting or slaying him.<sup>2</sup> (3) Everybody on the King's side was in readiness for the results of Tyler's death. Only half an hour elapsed from the time when the mayor left the King until the army of rescue appeared at St. John's field.<sup>3</sup> It would not have been possible to raise the levy of the twenty-four different wards of London, issue in strategic order from the different gates and surround the rebels in so brief a time, unless these forces had been waiting in readiness. That the lords' retinues and men-at-arms were in readiness is repeatedly stated by Froissart.<sup>4</sup> Furthermore, the mayor had secured control of the city gates, which up to this time had been opened at the will of the insurgents. Both he and the aldermen wore cuirasses concealed under their robes, else Wat's dagger-thrust would have had quite different results.<sup>5</sup> In this light the religious preparations of the King and his train at Westminster acquire new significance; we can understand why so dangerous an attempt should be thus solemnly ushered in. The details of the plot must have comprised what actually occurred. The King consented to Tyler's radical demands, but with no intention of fulfilling them, in order to get the people away from the city, and to placate them, in view of the intended violence to Tyler. That his death rather than his capture was planned, is rendered likely by the mayor's action in beheading him.

There is an interesting parallel in the case of Guillaume C  le, the most formidable leader of the Jacquerie, the revolt of the French peasants in 1358. He was invited to a conference by Charles the

<sup>1</sup> *An. Fr. Chr.*, 519.

<sup>2</sup> *Ibid.*, 519, 520: "*par celle encheson le mair de Londres, William Walworthe par nosme, aresone le dit Wat de celle violence et despote fait en presence le roy, e luy arresta.*"

<sup>3</sup> Riley, *Memorials*, 451.

<sup>4</sup> *Chroniques*, IX. 402. He exaggerates the number, however, when he rates them at 7,000.

<sup>5</sup> *Ibid.*, 413.

Bad, King of Navarre, and treacherously murdered, after which his followers were easily dispersed. Now the English had been allies of Charles in this war, and his action must have been known to the members of the council. When we recall the awful death of Edward II. and of Richard II. himself, we can hardly expect that the council would have been troubled with many scruples over removing an intractable rebel, whose influence prevented the insurgents from dispersing. The most likely explanation of Tyler's death is that it was one of the state murders that darken English history.

#### VI. THE ARTICLES OF THE INSURGENTS AT SMITHFIELD.

Probably the most important item of new information given us by the anonymous French chronicler is an enumeration of the demands presented by Tyler at Smithfield. We had formerly only meager information in regard to a single article ;<sup>1</sup> we now probably possess full information on all of them, as far as their substance is concerned. For as we have seen in the foregoing paper, the anonymous chronicler's account of the tragedy at Smithfield is more detailed than his version of Mile End events, and equally trustworthy. We may therefore place equal reliance upon his enumeration of the demands of the insurgents. This conclusion finds confirmation in the fact that the only one of the Smithfield articles elsewhere recorded is found among those given by this invaluable source.<sup>2</sup>

For purposes of perspicuity let us divide the demands of the insurgents at Smithfield into three groups, in line with the character of the separate articles : viz., legal, economic, and, thirdly, such as are at the same time religious and economic.

Of the first class there are two provisions. One of these recites "that there be no law except the statute of Winchester."<sup>3</sup> This was a police regulation for the keeping of the peace—one of the greatest legislative achievements of Edward I. It provides for the ready capture of felons, against whom suit may be brought from town to town. The hundred is held responsible for robberies committed, though forty days grace is allowed to secure the robber. Watch and ward must be maintained in the towns during the night, and all strangers arrested ; if they resist, hue and cry are raised against them. Highways to market towns are to be widened and cleared for 200 feet on either side ; for the enforcement of this provision lords of manors are held responsible, and the hundred must help them if necessary ; they are commanded to remove their parks

<sup>1</sup> Knighton, II. 137.

<sup>2</sup> Below, 479, n. 4.

<sup>3</sup> *An. Fr. Chr.*, 519.

the same distance from the highways or else enclose them with wall. Finally, every man must keep in his house armor according to his house and goods, from the landholder of £40 and more, who went forth in a knight's equipment, to the peasant who had nothing but a bow and knife. The constables of the hundred hold inspection of this armor twice a year.<sup>1</sup>

It will readily appear why a measure of this description was popular with the lower classes, for it places the power of checking lawlessness in their own hands. As Stubbs aptly observed: "it carries us back to the earliest institutions of the race; it revivifies and refines the actions of the hundred, hue and cry, watch and ward, the fyrd and the assize of arms."<sup>2</sup> In demanding the abolition of other legislation the commons evidently referred to objectionable police laws enacted since 1285. They probably meant the statute of laborers, which required new police and judicial machinery, like the justices of the peace and justices of laborers, for their enforcement.<sup>3</sup> For it would have been impossible to get the peasants to arrest or pursue, in the manner provided by the statute of Winchester, recalcitrant comrades resisting unjust labor legislation. They regarded the old law as sufficient for the repression of lawlessness and the statutes of laborers, both in object and enforcement, as oppressive and useless.

The second legal demand of the insurgents calls for the abolition of outlawry in all processes of law.<sup>4</sup> This demand again is one of the most potent factors in early medieval justice may at first thought occasion some surprise. Before the Norman Conquest outlawry was indeed a severe punishment.<sup>5</sup> By setting at naught the summons and decrees of the law the outlaw had lost all of his protection. His property was forfeited and he might be killed with impunity. But with increased gradation of punishment the application and force of outlawry were greatly diminished, so that by the twelfth century it had become rather a process to compel attendance at court than a punishment. The accused had to be summoned to four successive courts, and only in the fifth, if it was a county court, could the decree be passed, a process which, according to a like surmise, might last two years and a half.<sup>6</sup> Such a condition could

<sup>1</sup> *Statutes of the Realm* (Record Commission), I. 96-98.

<sup>2</sup> Stubbs, *Const. Hist.* (4th ed.), II. 123.

<sup>3</sup> Cf. especially *Statutes*, I. 313, 327, 330, 350-351, 364-365, 366; II. 2-3.

<sup>4</sup> *An. Fr. Chr.*, 519; "Que nul vtilegarie seroit en nul proces de ley fait de ore en avant."

<sup>5</sup> See the well-known old English poem, "The Exile." *Bibliothek der Angelsächsischen Poesie* (Wülker-Grein), I. 284-290.

<sup>6</sup> Pollock and Maitland, *Hist. of Eng. Law*, I. 539; cf. also *ibid.*, 476-478; 449-450, 459, 579.

hardly call for special protest on part of the commons unless some particular incident had brought it vigorously home to them.

In my opinion this incident was the statute of laborers. There were certainly many laborers who fled from their homes in order to avoid prosecution for violation of the law. The enactment of 1360 declares such laborers as cannot be found by the sheriff to be outlaws, and orders writs of their outlawry to be sent to all the shires. If captured, they are to be brought back and imprisoned until they justify themselves and satisfy the plaintiff, and for their falsity they are to be branded in the forehead with an iron shaped to the letter F, unless the plaintiff wishes to put this penalty into respite until the following Michaelmas, when the justices may decree whether it shall be inflicted. The enactment further decrees the punishment of city officials who refuse to deliver up such outlaws.<sup>1</sup>

The two demands just discussed emphasize the importance of the statute of laborers as an existing grievance with the insurgents, thus confirming what we already know from the demand for its repeal at Mile End. This repeal the Smithfield articles presuppose, as the demands at Mile End were granted to all the insurgents. At some future time I hope to show from the *Rolls of Parliament* and the *Statutes of the Realm* how potent this labor legislation was in producing the discontent which found voice in the revolt.

Of the two economic demands of the insurgents at Smithfield one is a repetition of the Mile End provision for the total abolition of serfdom.<sup>2</sup> The other also relates to manorial conditions and goes even further, specifying that in every lordship, save only the royal domains, the woods be apportioned among all the tenants<sup>3</sup>—not apportioned in the modern sense of an actual division, for this would be contrary to medieval conceptions of property in land, but in community of use, as already prevailed on some manors. This gave the peasants the right to use all necessary wood for fuel and building purposes, and also to hunt and fish free of restraint in the forest folds. We know from the testimony of another source that Tyler demanded free hunting and fishing throughout England.<sup>4</sup> The importance of such a provision is evident when we reflect that fish was the only flesh that could be eaten on the many fast days of the

<sup>1</sup> *Statutes*, I. 366, cap. 10-11.

<sup>2</sup> *An. Fr. Chr.*, 519: "Que nul naif seroit en Engleterre ne nul servaige ne naifte, mes toutz estre free et de vn condicione."

<sup>3</sup> "Que nul seigneur aueroit seignurye fors sivelment ester proportionne entre toutz gentz, fors tant solement le seigneur le roy."

<sup>4</sup> Knighton, II. 137: "Petunt a rege ut omnes warennae, tam in aquis quam in parco et boscis, communes fierent omnibus, ita ut libere posset, tam pauper quam dives, ubicunque in regno in aquis et stagnis piscariis et boscis et forestis feras capere, in campis lepores fugare, et sic haec et hujusmodi alia multa sine contradictione exercere."

medieval church and during Lent. Through the winter months, in fact during the greater part of the year game was the only fresh meat available.

The economic demands just noted apply to clerical equally with lay estates. There was, however, a growing consciousness of the need for special measures against the clergy, based on the general desire for a reformation of the church. This desire, in its most radical form, was shared by the insurgents, and finds expression in three articles, which, because of their marked religious character and also because of their far reaching economic effects, may best be termed their religious-economic demands. They may best be considered under three heads: (1) that the goods of the holy church should not remain in the hands of the clergy, neither of parsons and vicars nor of other clergymen, but after allowing for their easy sustenance, the remainder should be divided among the parishioners; (2) that all the lands and tenements of possessioners should be taken from them and divided among the commons of the realm, saving to them a reasonable sustenance; (3) that there should be no bishop in England but one, and no prelate but one.<sup>1</sup>

The first two articles confiscate all clerical property above a reasonable sustenance for the active clergy. They strike clearly and directly at the two principal sources of clerical income, the local revenues as paid by the parish, and the revenues from landed possessions. The former consisted chiefly of the tithes, but comprised also such periodical contributions as fees for burial service, candle-dues, plough-alms, and other local customs. The commons were perfectly willing to pay tithes as far as was necessary for local needs. They distinctly specified the support of the parish clergy, who were favored in all of their demands, as we shall presently see. But this would require only a small portion of the tithes, and the remainder was to revert to the parishioners who paid them. I do not think that the article contemplates a levy of tithes, and afterwards an equitable division of the proceeds, but means that only such taxes are to be levied as are necessary for the support of the parish priests.

The second article aims at the entire possessioned clergy, regular and secular, and affects particularly the hierarchy and the monasteries. At this time, the landed possessions of the clergy com-

<sup>1</sup> *An. Fr. Chr.*, 519: "Que le biens de seint esglise ne deueroient ester en mains de gentz de relligione, ne des parsons et vicars ne de autres de seint esglise, mes les auante aueroient lour sustenance esement, et le remanent de les biens deueroient ester deuidees entre les parochiens; et nul euesque seroit en Engleterre forsque vn ne nul prelate forsque vns; et toutz les terres et tenementz de possessioners seroient pris de eux et parties entre les comons, saluant a eux leur resonable sustenance."

prised over one-third of the land of England. They consisted not only of vast manorial estates, yielding both labor and money rents, and the profits of justice when these estates formed independent baronies, but also of forests, harbors, fisheries, mines, rights of pasture, tolls, market dues and other exactions. As in the case of parishes, the revenue from these possessions, saving a pension for the possessioners, is to revert to the commons who paid it. The tenants on clerical lands need no longer pay rents, all rights of forest and pasture become free, and all manner of tolls for markets and mills cease. Every peasant on clerical land becomes a freeman holding directly under the King, in other words, a peasant proprietor. This is perhaps the most radical reform proposed by the insurgents in 1381, and its success would have created in the English commonwealth of the fourteenth century a more powerful and prosperous body of free peasants than the nineteenth was able to show.

The idea of confiscating the lands of the clergy was not peculiar to the insurgents, but had long been maintained by the Mendicant Friars. Wycliffe's pronounced views on clerical disendowment are well known,<sup>1</sup> while even such a conservative as the author of *Piers Plowman* urged that the clergy be compelled to live on their tenths.<sup>2</sup> Threats of spoliation had ere this been used by John of Gaunt and the Lancaster party as a political lever against the clergy, and had even been made in Parliament.<sup>3</sup> The marked novelty of the demands of the insurgents is their plan of raising the common people upon the ruin of the clergy. All other plans of confiscation had advocated strengthening the middle and upper classes. Wycliffe's ideal was to aid poor gentlemen, who would justly govern the people and maintain the land against its enemies,<sup>4</sup> while later Lollard Parliaments advocated temporary confiscation for needs of war, or else the creation of new earls, knights, and esquires,<sup>5</sup> both being plans for obtaining increased military services, thereby lightening taxation. The insurgents, however, wished clerical confiscation to improve the economic condition of the common people at large.

The confiscation of the landed possessions of the monasteries

<sup>1</sup> He even considers the possessions of the clergy to be the chief cause of the revolt. *De Blasphemia* (Wycliffe Soc. 1893), 190, 202.

<sup>2</sup> B, XV. 526. Cf. the important additions of the C text, XVIII. 228 ff.

<sup>3</sup> See the interesting speech in Parliament preserved by Wycliffe. *Fasciculi Zizaniorum*, XXI.

<sup>4</sup> *Select English Works*, II. 216-217.

<sup>5</sup> Walsingham, II. 265, 282-283; *Ann. Henr.*, 393-394; Stubbs, III. (5th ed.) 49, 65, 85.



would have meant their dissolution. This demand was only an expression of the general bitter feeling against them, and the general conviction that they were not fulfilling the high purposes for which they had been founded, but had become useless and attenuated. In addition to this, they were hated as being hard and conservative landlords, who in this age of change clung tenaciously to ancient rights over their tenants, and persistently held down the towns which grew up in their domains. A very important part of the revolt in 1381 was a general uprising of the subjects and tenants of monasteries, especially of mesne towns like St. Alban's and St. Edmundsbury. The insurgents, however, showed moderation in the provision for the reasonable sustenance of the possessioners, which would of course include pensions for monks and the hierarchy.

While the articles just discussed would deprive the bishops of their revenues they would not necessarily abolish the episcopacy. This would have been no new proposal, but one often made by Wycliffe. Although the general feeling against the prelates was not as strong as that against the monasteries, they were at this period quite generally condemned for their worldliness and as men who were more attached to secular work in the King's service than to their spiritual duties.<sup>1</sup>

The insurgents propose a radical change in their third religious demand: that there be but one bishop for all England. This novel proposition is quite in line with their political ideal: their church government was modeled on that of the state. As a democratic King, uninfluenced by the upper classes, was to rule in affairs temporal, a democratic bishop was to be supreme in affairs spiritual. The demand for a single head of the church was no doubt influenced by the desire of the insurgents to place John Ball, their chief religious leader at the head of the church. The *Chronicle*, which has recorded these articles, tells us on another occasion that such was Ball's own wish,<sup>2</sup> and two other contemporaries report rumors to the effect that the insurgents propose to make him Archbishop of Canterbury.<sup>3</sup>

The abolition of the hierarchy, as well as the disestablishment of monasteries, would have chiefly accrued to the benefit of the parish priests. As is well known, at this period the tithes of the parishes had quite generally been appropriated by non-resident pre-

<sup>1</sup> Trevelyan, *Age of Wycliffe*, 106-111.

<sup>2</sup> *An. Fr. Chr.*, 512.

<sup>3</sup> Mon. Evesham: "Quem, ut dicebatur, si habuissent eorum nephandum propositum, in archiepiscopum, Cantuariæ crexissent." Walsingham tells us that, after his speech at Blackheath, Ball was acclaimed Archbishop of Canterbury and chancellor of the realm. *Hist. Angl.*, II. 33.

ates or monks, who employed poor and often incompetent curates, at the lowest possible wages, to perform their religious duties. The evils of this system were recognized in the fourteenth century, even by the bishops, and it was mainly because of their detrimental influence on the parish priests that Wycliffe desired the abolition of monasteries and the hierarchy.<sup>1</sup> In making the same demands the rebels probably had these points in mind. It seems no mere coincidence that so many of the lesser clergy were involved in the revolt. Ball was himself a chaplain; so was John Wrawe, chief leader of the Sussex rebels, and Galfrid Parfay, another ringleader, was vicar. In that county seven clergymen were among the leaders, while in other shires similar, though more isolated, instances are found.<sup>2</sup> Another powerful bond between the lower clergy and the people was the fact that the former had since the pestilence of 1348-1349 been engaged in a struggle with the hierarchy for living wages and consequently sympathized with the peasants in their fight against the statute of laborers.<sup>3</sup>

Nothing in regard to the papacy is stated in the insurgents' demands; but the abolition of the hierarchy alone, to say nothing of the other radical reforms proposed, would have necessarily involved a separation from Rome. That their attitude towards the Pope was one of indifference is further indicated by their reputed reply to the Archbishop of Canterbury, who, when on the point of being executed, threatened them with a papal interdict. They answered that they feared neither Pope nor interdict.<sup>4</sup>

A study of these Smithfield articles certainly overturns the generally accepted view that the insurgents were good churchmen, who objected to prelates as bad ministers only and to monasteries as oppressive landlords.<sup>5</sup> Their chief leaders, backed by the most formidable division of the rebels, were religious reformers of the most advanced type. True, the reforms demanded are rather institutional than doctrinal, and we find no dissatisfaction expressed with the ritual and usages of the church. But even Wycliffe had just begun to announce his final views on the eucharist, or, at any rate, these views were just beginning to become generally known.<sup>6</sup> At the

<sup>1</sup> Trevelyan, as above, 122-123, where sources are cited.

<sup>2</sup> *Rot. Parl.*, III. 111; Powell, *East Anglia Rising*, 14; Réville, 180.

<sup>3</sup> Wilkins, *Concilia*, III. 1-2; *Rot. Parl.*, II. 271; *Statutes*, I. 373-374; Knighton, II. 63; *Piers Plowman*, A. prol., 180.

<sup>4</sup> Walsingham, *Hist. Angl.*, I. 459.

<sup>5</sup> Trevelyan, as above, 200, 200-201; Réville, *Soulèvement*, 123-125.

<sup>6</sup> His public confession of these views is dated 10 May, 1381 (*Fasc. Zix.*, 115, p. 1.); but it is doubtful whether he had promulgated them just before this or at an earlier period. *Ibid.*, 104; cf. F. D. Matthew, *Eng. Hist. Review*, V. 329-330.

time of his death he had not rejected the celebration of the mass as is shown by the fact that he died while hearing it. These demands of the insurgents are not only in themselves radical, but in one respect they go further than any religious requirements ever made in England, viz., in their democratic tendencies. From an economic standpoint this was the most democratic reformation the church ever proposed.

GEORGE KRIEHN.

## WHO BURNED COLUMBIA?

THE story goes that when General Sherman lived in New York City, which was during the last five years of his life, one night at a dinner-party when he and an ex-Confederate general who had fought against him in the southwest were the chief guests, an Englishman present, not actuated by malice but blundering through ignorance, asked innocently who burned Columbia? Had bombshells struck the tents of these generals during the war, they would not have caused half the sensation to them that did this question put with the laudable desire of information. The emphatic language of Sherman interlarded with the oaths he uttered spontaneously, the bitter charges of the Confederate, the pounding of the table, the dancing of the glasses, told the Englishman that the bloody chasm had not been entirely filled. With a little variation and with some figurative meaning, he might have used the words of Iago: "Friends all but now, even now in peace; and then but now as if some planet had outwitted men, tilting at one another's breast in opposition. I cannot speak any beginning to this peevish odds."

But the question which disturbed the New York dinner-party is a delight to the historian. Nothing can equal the pleasure he has in going through the mass of evidence, feeling that history is the best known where there are the most documents, and if he be of Northern birth he ought to approach the subject with absolute candor. Of a Southerner who had himself lost property or whose parents had lost property through Sherman's campaign of invasion, it would be asking too much to expect him to consider this subject in a judicial spirit. Even Trent, a moderate and impartial Southern writer whose tone is a lesson to us all, writes "of the much vexed question Who burned Columbia?": "It is hard to read Simms's stirring pages without coming to the conclusion that the sack of Columbia is one of the greatest crimes ever perpetrated by the troops of a civilized country."

Sherman, with his army of 60,000, left Savannah February 1, 1865, and reached the neighborhood of Columbia February 16. The next day Columbia was evacuated by the Confederates, occupied by troops of the fifteenth corps of the Federal army, and by

the morning of the 18th either three-fifths or two-thirds of the town lay in ashes. The facts contained in these two sentences are almost the only ones undisputed. We shall consider this episode more curiously if we take first Sherman's account, then Wade Hampton's ending with what I conceive to be a true relation.

The city was surrendered by the mayor and three aldermen to Colonel George A. Stone at the head of his brigade. Soon afterwards Sherman and Howard, the commander of the right wing of the army, rode into the city; they observed piles of cotton burning and Union soldiers and citizens working to extinguish the fire which was partially subdued. Let Sherman speak for himself in the first account that he wrote, which was his report of April 2, 1865. "Before one single public building had been fired by our order," Sherman wrote, "the smouldering fires [cotton] set by Hampton's order were rekindled by the wind, and communicated to the buildings around. [Wade Hampton commanded the Confederate cavalry.] About dark they began to spread, and got beyond the control of the brigade on duty within the city. The whole of Woods' division was brought in, but it was found impossible to check the flames, which, by midnight, had become unmanageable, and raged until about 4 A. M., when the wind subsided and they were got under control.

"I was up nearly all night, and saw Generals Howard, Logan, Woods, and others, laboring to save houses and protect families thus suddenly deprived of shelter, and even of bedding and wearing apparel. I disclaim on the part of my army any agency in the fire, but, on the contrary, claim that we saved what of Columbia remains unconsumed. And without hesitation I charge General Wade Hampton with having burned his own city of Columbia, not with a malicious intent or as the manifestation of a silly 'Roman stoicism,' but from folly, and want of sense, in filling it with lines of cotton, and tinder. Our officers and men on duty worked well to extinguish the flames; but others not on duty, including the officers who had long been imprisoned there rescued by us, may have assisted in spreading the fire after it had once begun, and may have indulged in unconcealed joy to see the ruin of the capital of South Carolina." Howard, in his report, with some modification agreed with his chief, and the account in *The March to the Sea* of General Cox, whose experience and training fitted him well to weigh the evidence, gives at least a partial confirmation to Sherman's theory of the origin of the fire.

I have not, however, discovered sufficient evidence to support the assertion of Sherman that Wade Hampton ordered the cotton

in the streets of Columbia to be burned. Nor do I believe Sherman knew a single fact on which he might base so positive a statement.<sup>1</sup> It had generally been the custom for the Confederates in their retreat to burn cotton to prevent its falling into the hands of the invading army, and because such was the general rule Sherman assumed that it had been applied in this particular case. This assumption suited his interest, as he sought a victim to whom he might charge the burning of Columbia. His statement in his *Memoirs*, published in 1875, is a delicious bit of historical naïveté. "In my official report of this conflagration," he wrote, "I distinctly charged it to General Wade Hampton, and confess I did so pointedly, to shake the faith of his people in him, for he was in my opinion boastful and professed to be the special champion of South Carolina."

Instead of Hampton giving an order to burn the cotton, I am satisfied that he urged Beauregard, the general in command, to issue an order that this cotton should not be burned, lest the fire might spread to the shops and houses, which for the most part were built of wood, and I am further satisfied that such an order was given. Unfortunately the evidence for this is not contemporary. No such order is printed in the *Official Records*, and I am advised from the War Department that no such order has been found. The nearest evidence to the time which I have discovered is a letter of Wade Hampton of April 21, 1866, and one of Beauregard of May 2, 1866. Since these dates, there is an abundance of evidence, some of it sworn testimony, and while it is mixed up with inaccurate statements on another point, and all of it is of the nature of recollections, I cannot resist the conclusion that Beauregard and Hampton gave such an order. It was unquestionably the wise thing to do. There was absolutely no object in burning the cotton, as the Federal troops could not carry it with them and could not ship it to any seaport which was under Union control.

An order of Beauregard issued two days after the burning of Columbia and printed in the *Official Records* shows that the policy of burning cotton to keep it out of the hands of Sherman's army had been abandoned. Sherman's charge, then, that Wade Hampton burned Columbia, falls to the ground. The other part of his account, in which he maintained that the fire spread to the buildings from the smouldering cotton rekindled by the wind, which blew a gale, deserves more respect. His report saying that he saw cotton

<sup>1</sup> In a letter presented to the Senate of the United States (some while before April 21, 1866) Sherman said: "I saw in your Columbia newspaper the printed order of Gen. Wade Hampton that on the approach of the Yankee army all the cotton should be burned." (*South. Hist. Soc. Papers*, Vol. VII., p. 156.)

afire in the streets was written April 4, 1865, and Howard's which the same fact is stated was written April 1, very soon after the event, when their recollection would be fresh. All of the Southern evidence (except one most important of all) is to the effect that no cotton was burning until after the Federal troops entered the city. Many Southerners in their testimony before the British and American mixed commission under examination and cross-examination swear to this; and Wade Hampton swears that he was one of the last Confederates to leave the city, and that, when he left, no cotton was afire, and he knew that it was not fired by his men. But this testimony was taken in 1872 and 1873, and may be balanced by the sworn testimony of Sherman, Howard, and other Union officers before the same commission in 1872.

The weight of the evidence already referred to would seem to me to show that cotton was afire when the Federal troops entered Columbia, but a contemporary statement of a Confederate official puts it beyond doubt. Major Chambliss, who was endeavoring to secure the means of transportation for the Confederate ordnance and ordnance stores, wrote, in a letter of February 20, that at three o'clock on the morning of February 17, which was a number of hours before the Union soldiers entered Columbia, "the city was illuminated with burning cotton." But it does not nevertheless follow that the burning cotton in the streets of Columbia was the cause of the fire which destroyed the city. When we come to the true relation, we shall see that the preponderance of the evidence points to another cause.

February 27, ten days after the fire, Wade Hampton, in a letter to Sherman, charged him with having permitted the burning of Columbia if he did not order it directly; and this has been reiterated later by many Southern writers. The correspondence between Halleck and Sherman is cited to show premeditation on the part of the general. "Should you capture Charleston," wrote Halleck December 18, 1864, "I hope that by some accident the place may be destroyed, and if a little salt should be sown upon the site may prevent the growth of future crops of nullification and secession." Sherman thus replied six days later: "I will bear in mind your hint as to Charleston, and don't think salt will be necessary. When I move, the Fifteenth Corps will be on the right of the Right Wing, and their position will bring them naturally into Charleston first; and if you have watched the history of that corner you will have remarked that they generally do their work up pretty well. The truth is, the whole army is burning with an insatiable desire to wreak vengeance on South Carolina. I almost tremble

at her fate, but feel that she deserves all that seems in store for her.  
- . . I look upon Columbia as quite as bad as Charleston."

The evidence from many points of view corroborating this statement of the feeling of the army towards South Carolina is ample. The rank and file of Sherman's army were men of some education and intelligence; they were accustomed to discuss public matters, weigh reasons, and draw conclusions. They thought that South Carolina had brought on the civil war, was responsible for the cost and bloodshed of it, and no punishment for her could be too severe. That was likewise the sentiment of the officers. A characteristic expression of the feeling may be found in a home letter of Colonel Charles F. Morse, of the second Massachusetts, who speaks of the "miserable, rebellious State of South Carolina." "Pity for these inhabitants," he further writes, "I have none. In the first place, they are rebels, and I am almost prepared to agree with Sherman that a rebel has no rights, not even the right to live except by our permission."

It is no wonder, then, that Southern writers, smarting at the loss caused by Sherman's campaign of invasion, should believe that Sherman connived at the destruction of Columbia. But they are wrong in that belief. The general's actions were not so bad as his words. Before his troops made their entrance he issued this order: "General Howard will . . . occupy Columbia, destroy the public buildings, railroad property, manufacturing and machine shops, but will spare libraries and asylums and private dwellings." That Sherman was entirely sincere when he gave this order, and that his general officers endeavored to carry it out cannot be questioned. A statement which he made under oath in 1872 indicates that he did not connive at the destruction of Columbia. "If I had made up my mind to burn Columbia," he declared, "I would have burnt it with no more feeling than I would a common prairie dog village; but I did not do it."

Other words of his exhibit without disguise his feelings in regard to the occurrence which the South has regarded as a piece of wanton mischief. "The ulterior and strategic advantages of the occupation of Columbia are seen now clearly by the result," said Sherman under oath. "The burning of the private dwellings, though never designed by me, was a trifling matter compared with the manifold results that soon followed. Though I never ordered it and never wished it, I have never shed many tears over the event, because I believe it hastened what we all fought for, the end of the war." It is true that he feared previous to their entry the burning of Columbia by his soldiers, owing to their "deep-seated feeling of



hostility" to the town, but no general of such an army during such a campaign of invasion would have refused them the permission to occupy the capital city of South Carolina. "I could have had them stay in the ranks," he declared, "but I would not have done it under the circumstances to save Columbia."

Historical and legal canons for weighing evidence are not the same. It is a satisfaction, however, when after the investigation of any case they lead to the same decision. The members of the British and American mixed commission (an Englishman, an American and the Italian Minister at Washington), having to adjudicate upon claims for "property alleged to have been destroyed by the burning of Columbia, on the allegation that that city was wantonly fired by the army of General Sherman, either under his orders or with his consent and permission," disallowed all the claims, "all the commissioners agreeing." While they were not called upon to deliver a formal opinion in the case, the American agent was advised "that the commissioners were unanimous in the conclusion that the conflagration which destroyed Columbia was not to be ascribed to either the intention or default of either the Federal or Confederate officers."

Recapitulating then what I think I have established: Sherman's account and that of the Union writers who follow him cannot be accepted as history. Neither is the version of Wade Hampton and the Southern writers worthy of credence. Let me now give the true relation. My authorities are the contemporary accounts of six Federal officers, whose names will appear when the evidence is presented in detail; the report of Major Chambliss of the Confederate army; "The Sack and Destruction of Columbia," a series of articles in the *Columbia Phoenix*, written by William Gilmore Simms and printed a little over a month after the event; and a letter written from Charlotte, February 22, to the *Richmond Whig*, by F. G. de F., who remained in Columbia until the day before the entrance of the Union troops.

Two days before the entrance of the Federal troops, Columbia was placed under martial law, but this did not prevent some riotous conduct after night and a number of highway robberies; stores were also broken into and robbed. There was disorder and confusion in the preparations of the inhabitants for flight; it was a frantic attempt to get themselves and their portable belongings away before the enemy should enter the city. "A party of Wheeler's Cavalry," wrote this correspondent of the *Richmond Whig*, "accompanied by their officers dashed into town [February 16], tied their horses, and as systematically as if they had been bred to the busi-

ness, proceeded to break into the stores along Main Street and rob them of their contents." Early in the morning of the 17th, the South Carolina railroad depot took fire through the reckless operations of a band of greedy plunderers, who while engaged in robbing "the stores of merchants and planters, trunks of treasure, wares and goods of fugitives," sent there awaiting shipment, fired, by the careless use of their lights, a train leading to a number of kegs of powder; the explosion which followed killed many of the thieves and set fire to the building. Major Chambliss, who was endeavoring to secure the means of transportation for the Confederate ordnance and ordnance stores, wrote: "The straggling cavalry and rabble were stripping the warehouses and railroad depots. The city was in the wildest terror."

When the Union soldiers of Colonel Stone's brigade entered the city, they were at once supplied by citizens and negroes with large quantities of intoxicating liquor, brought to them in cups, bottles, demijohns, and buckets. Many had been without supper, and all of them without sleep, the night before, and none had eaten breakfast that morning. They were soon drunk, excited, and unmanageable. The stragglers and "bummers," who had increased during the march through South Carolina, were now attracted by the opportunity for plunder and swelled the crowd. Union prisoners of war had escaped from their places of confinement in the city and suburbs, and joining their comrades were eager to avenge their real or fancied injuries. Convicts in the jail had in some manner been released. The pillage of shops and houses and the robbing of men in the streets began soon after the entrance of the army. The officers tried to preserve discipline. Colonel Stone ordered all the liquor to be destroyed, and furnished guards for the private property of citizens and for the public buildings; but the extent of the disorder and plundering during the day was probably not appreciated by Sherman and those high in command. Stone was hampered in his efforts to preserve order by the smallness of his force for patrol duty and by the drunkenness of his men. In fact, the condition of his men was such that at eight o'clock in the evening they were relieved from provost duty, and a brigade of the same division, who had been encamped outside of the city during the day, took their place. But the mob of convicts, escaped Union prisoners, stragglers and "bummers," drunken soldiers and negroes, Union soldiers who were ardent in their desire to take vengeance on South Carolina, could not be controlled. The sack of the city went on, and when darkness came the torch was applied to many houses; the high wind carried the flames from building to building, until the best

part of Columbia—a city of eight thousand inhabitants—was destroyed.

Colonel Stone wrote, two days afterwards: "About 8 o'clock the city was fired in a number of places by some of our escaped prisoners and citizens." "I am satisfied," said General W. B. Woods, commander of the brigade that relieved Stone, in his report of March 26, "by statements made to me by respectable citizens of the town, that the fire was first set by the negro inhabitants." General C. R. Woods, commander of the first division, fifteenth corps, wrote, February 21: "The town was fired in several different places by the villains that had that day been improperly freed from their confinement in the town prison. The town itself was full of drunken negroes and the vilest vagabond soldiers, the veriest scum of the entire army being collected in the streets." The very night of the conflagration he spoke of the efforts "to arrest the countless villains of every command that were roaming over the streets."

General Logan, commander of the fifteenth corps, said, in his report of March 31: "The citizens had so crazed our men with liquor that it was almost impossible to control them. The scenes in Columbia that night were terrible. Some fiend first applied the torch, and the wild flames leaped from house to house and street to street, until the lower and business part of the city was wrapped in flames. Frightened citizens rushed in every direction, and the reeling incendiaries dashed, torch in hand, from street to street, spreading dismay wherever they went."

"Some escaped prisoners," wrote General Howard, commander of the right wing. April 1, "convicts from the penitentiary just broken open, army followers, and drunken soldiers ran through house after house, and were doubtless guilty of all manner of villanies, and it is these men that I presume set new fires farther and farther to the windward in the northern part of the city. Old men, women, and children, with everything they could get, were herded together in the streets. At some places we found officers and kind-hearted soldiers protecting families from the insults and roughness of the careless. Meanwhile the flames made fearful ravages, and magnificent residences and churches were consumed in a very few minutes." All these quotations are from Federal officers who were witnesses of the scene and who wrote their accounts shortly after the event, without collusion or dictation. They wrote too before they knew that the question, Who burned Columbia? would be an irritating one in the after years. These accounts are therefore the best of evidence. It is not necessary to exclude one by an-

other. All may be believed, leading us to the result that all the classes named had a hand in the sack and destruction of Columbia.

When the fire was well under way, Sherman appeared on the scene, but gave no orders. Nor was it necessary, for Generals Howard, Logan, Woods, and others were laboring earnestly to prevent the spread of the conflagration. By their efforts and by the change and subsidence of wind, the fire in the early morning of February 18 was stayed. Columbia, wrote General Howard, was little "except a blackened surface peopled with numerous chimneys and an occasional house that had been spared as if by a miracle." Science, history, and art might mourn at the loss they sustained in the destruction of the house of Dr. Gibbes, an antiquarian and naturalist, a scientific acquaintance, if not a friend, of Agassiz. His large library, portfolios of fine engravings, two hundred paintings, a remarkable cabinet of southern fossils, a collection of sharks' teeth, "pronounced by Agassiz to be the finest in the world," relics of our aborigines and others from Mexico, "his collection of historical documents, original correspondence of the Revolution, especially that of South Carolina," were all burned.

The story of quelling the disorder is told by General Oliver: "February 18, at 4 A. M., the Third Brigade was called out to suppress riot; did so, killing 2 men, wounding 30 and arresting 370." It is worthy of note that, despite the reign of lawlessness during the night, very few, if any, outrages were committed on women.

JAMES FORD RHODES.

## THE COMMERCIAL PRIVILEGES OF THE TREATY OF 1803

IN view of the interest taken in the constitutional questions arising out of the purchase of Louisiana because of their bearing upon our recent acquisitions of territory, it is rather surprising that no one has called attention to the fact that when Louisiana was admitted as a state into the Union, no regard was taken of the conflict of certain provisions of the treaty of 1803 with that clause of the Federal Constitution which specifies that "No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another."<sup>1</sup>

The treaty with France which ceded Louisiana to the United States contained the following agreement :

"That the French ships coming directly from France or any of her colonies, loaded only with the produce and manufactures of France or her said colonies ; and the ships of Spain coming directly from Spain or any of her colonies, loaded only with the produce or manufactures of Spain or her colonies, shall be admitted during the space of twelve years in the port of New Orleans, and in all other legal ports of entry within the ceded territory, in the same manner as the ships of the United States coming directly from France or Spain, or any of their colonies, without being subject to any other or greater duty on merchandise, or other or greater tonnage than that paid by the citizens of the United States."<sup>2</sup>

By the tonnage act of 1790, a duty of only six cents per ton was laid upon ships of the United States, but thirty cents a ton was charged upon vessels built within the United States since 1789, which belonged wholly or in part to subjects of foreign powers, and fifty cents per ton upon all other ships or vessels.<sup>3</sup> An additional duty of ten per cent. was levied by the tariff acts upon all goods imported in ships or vessels not of the United States.<sup>4</sup> It was from these "discriminating duties," as they were called, that the French and Spanish ships were exempted by the treaty for twelve years in the ports of Louisiana.<sup>5</sup>

<sup>1</sup> Article I., Section 9.

<sup>2</sup> Article VII.

<sup>3</sup> Act of July 20, 1790, Chap. 30. *U. S. Stat. at Large*, I. p. 135.

<sup>4</sup> Cf., e. g., Acts of July 4, 1789, Chap. 2 ; Jan. 29, 1795, Chap. 17, and March 3, 1797, Chap. 10. *U. S. Stat. at Large*, I. pp. 24, 411 and 503.

<sup>5</sup> At different times there were various temporary acts laying additional duties, but the duties noted were practically permanent and are the ones that were always cited in the diplomatic negotiations, of which they were the frequent subject.

The twelve years, during which these privileges were granted, were to "commence three months after the exchange of ratifications, if it shall take place in France, or three months after it shall have been notified at Paris to the French Government, if it shall take place in the United States."<sup>1</sup> The ratifications of the treaty were exchanged in Washington on October 21, 1803, and this fact was announced in *Le Moniteur* of December 21 of the same year. Even if this be not the exact date of the formal notification to France, it is evident that by the terms of the treaty these privileges were granted from some day early in the year 1804 to a corresponding date in 1816, and Louisiana was formally admitted as a state into the Union on April 30, 1812. For nearly four years, therefore, if the provisions of the treaty of 1803 remained in force, the ports of Louisiana enjoyed privileges in commerce with France and Spain that were not granted to the ports of any other state.

When the treaty of 1803 was before Congress, objections were made to the commercial privileges granted by the seventh article on the specific ground that these privileges were contrary to the clause of the Constitution already cited. Other interpretations were offered, but the explanation most frequently given, and apparently most acceptable, was to the effect that this clause of the Constitution referred only to the states, and as Louisiana was not a state, but a territory, that clause was not applicable in this instance.<sup>2</sup>

It seems scarcely possible, therefore, that, when the bill for the admission of Louisiana into the Union was before Congress in 1811, this point of conflict of the treaty with the Constitution was not raised, and yet such appears to have been the case. It is true that the debate over the admission of Louisiana was not a long one<sup>3</sup> and that it was several times interrupted by matters of more pressing importance, such as the re-charter of the national bank, the commercial and other complications with England, so soon to culminate in war. Yet the opposition to the admission of Louisiana was very bitter. Objections of all sorts were raised, but no one seems to have noticed the fact that by the admission of Louisiana as a state the commercial privileges of the treaty came into direct conflict with the provisions of the Federal Constitution. When one remembers the keenness with which every point in the treaty was discussed in 1803,

<sup>1</sup> Article VII.

<sup>2</sup> Cf., *e. g.*, statements by Nicholson, of Maryland; Rodney, of Delaware; Mitchill, of New York, and Elliot, of Vermont. *Annals of Cong.*, 8th Cong., 1st Sess., 471, 475, 482 and 450.

<sup>3</sup> In the Senate practically no debate at all is recorded and in the House the bill was only briefly debated on seven days in the course of two weeks. *Annals of Cong.*, 11th Cong., 3rd Sess., pp. 97-127, 482-579.

and the acuteness of New Englanders on all constitutional questions, and remembers also that the New Englanders were especially strong in their opposition to the admission of Louisiana, this oversight seems the more remarkable.

As careful a study of the records as time and opportunity have permitted establishes the belief that this conflict escaped the notice of every one at the time. And this belief is confirmed by the statement of John Quincy Adams in 1821, that "No question appears to have arisen at the time of the admission of the State upon the application of this article, and the privilege of French and Spanish vessels was never, in fact, denied them during the term for which they were entitled by the article to claim it."<sup>1</sup>

It was several years after the admission of Louisiana as a state and not until after the term of these commercial privileges had expired that our government became aware of the manner in which the Constitution had been disregarded in permitting these commercial privileges to continue. It is quite possible that these privileges were never of much moment either financially or commercially, and it is probable that the non-observance of the constitutional prohibition was due to inadvertence in time of war. But inasmuch as the Constitution was plainly disregarded, it is interesting to learn the way by which the attention of our government was called to this omission.

Shortly after the War of 1812 the United States adopted a plan of reciprocity. The discriminating tonnage duties on foreign vessels were repealed "in favour of any foreign nation, whenever the President of the United States shall be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States, have been abolished."<sup>2</sup> England promptly availed herself of this offer,<sup>3</sup> and a little later the Netherlands, Sweden, Prussia and certain of the Hanseatic cities did the same,<sup>4</sup> but France declined or neglected to take advantage of this opportunity.<sup>5</sup>

It was not long before the masters of French merchant ships began to protest both to their own government and to the United States local authorities that discriminations were made against

<sup>1</sup> Adams to de Neuville, June 15, 1821. *Amer. State Papers, For. Rel.*, V., p. 182.

<sup>2</sup> *U. S. Stat. at Large*, Mar. 3, 1815, Chap. 77.

<sup>3</sup> *Amer. State Papers, For. Rel.*, Vol. IV., p. 7.

<sup>4</sup> President's Message at first Session of 17th Congress. *Ibid.*, p. 738.

<sup>5</sup> There were additional acts passed laying heavier tonnage duties in certain instances. These were evidently retaliatory and culminated in the Act of May 15, 1820, Chap. 126, which imposed a tonnage duty of \$18 per ton on all French vessels entered in the United States.

French vessels and that they were no longer treated in the ports of Louisiana upon the footing of the most favored nation. Acting under instructions from his government, the French minister to the United States, Baron de Neuville, looked into the matter and then in 1817 lodged a formal complaint with our Secretary of State. He protested against the advantages that were granted to Great Britain in all the ports of the United States, and insisted that similar privileges should be accorded to France in the ports of Louisiana, in accordance with the eighth article of the treaty of 1803 which stipulated that "in future and forever after the expiration of the twelve years, the ships of France shall be treated upon the footing of the most favored nations in the ports above mentioned."<sup>1</sup> In answer to this complaint, the Secretary of State, John Quincy Adams, replied that French vessels were treated upon the footing of the most favored nation; that the English vessels enjoyed this advantage only for a full equivalent; and that it would be possible for France to obtain "every advantage enjoyed by the vessels of Great Britain upon the fair and just equivalent of reciprocity," not only in the ports of Louisiana but in those of all the United States. He further insisted that to admit French vessels into the ports of Louisiana upon the payment of the same duties as vessels of the United States would be contrary to the provision of the Constitution which declares "that no preference shall be given to the ports of one state over those of another."<sup>2</sup>

It was in response to this that de Neuville called attention to the fact that such privileges had been enjoyed in 1815 in spite of apparent constitutional difficulties, and asked why, if this were done in 1815, it could not be repeated now.<sup>3</sup>

If one were to judge simply by outward appearances, it would seem as if the dilemma were one from which our Secretary of State saw no way of escape. For although communications were frequently exchanged between the representatives of the two governments, no attempt was made to answer the questions that the French minister had propounded. It was not until two years later, after a special request from de Neuville for a reply to his letter of June 16, 1818, that Adams took up this matter. He then stated that whether the commercial privileges of the treaty of 1803 were compatible with the Constitution of the United States was a question for the Senate to decide; but that whether the claim advanced by France was reconcilable with the Constitution of the United

<sup>1</sup> De Neuville to Adams, December 15, 1817. *Amer. State Papers, For Rel.* Vol. V., p. 152.

<sup>2</sup> Adams to de Neuville, December 23, 1817. *Ibid.*, pp. 152-153.

<sup>3</sup> De Neuville to Adams, June 16, 1818. *Ibid.*, pp. 154-155.



States was not a question of construction or of implication. It was directly contrary to the constitutional provision that the regulations of commerce and revenue in the ports of all *states* of the Union should be the same. He further said :

"The admission of the State of Louisiana, in the year 1812, *on an equal footing with the original States* in all respects whatever, does not impair the force of this reasoning, although the admission of French and Spanish vessels into their ports for a short remnant of time upon different regulations of commerce and revenue from those prescribed in the ports of all the other States in the Union, gave them a preference not sanctioned by the Constitution, and upon which the other States might, had they thought fit, have delayed the act of admission until the expiration of the twelve years ; yet as this was a condition of which the other States might waive the benefit for the sake of admitting Louisiana, sooner even than rigorous application would have required, to the full enjoyment of all the rights of American citizens, this consent of the only interested party to anticipate the maturity of the adopted child of the Union can be considered in no other light than a friendly grant in advance of that which, in the lapse of three short years, might have been claimed as of undeniable right."<sup>1</sup>

A few weeks later Adams added :

"Whatever transient and inadvertent departure, in favor of the inhabitants of Louisiana, from the principles of the Constitution, may have occurred, is a question of internal administration in this Government, from which France has received no wrong and of which, therefore, she can have no motive to complain."<sup>2</sup>

After one more retort from the French minister, this question was dropped in the negotiations for the convention which was consummated in 1822.

The whole matter is not of vital importance. France had nothing of which to complain. It might even be decided that the Constitution was not infringed. The Constitution provides that no preference shall be given by any *regulation of commerce or revenue* to the ports of one state over those of another. The act for the admission of a state can hardly be regarded as a regulation of commerce or revenue, unless it be interpreted as such because commerce is thereby affected. Or possibly Madison's explanation might be accepted : that this privilege was not the result of ordinary legislative power in Congress ; that this privilege was "in the deed of cession, carved by the foreign owner out of the title conveyed to the purchaser," and that the United States never possessed entire power over that territory as over the original territory of the United States.<sup>3</sup> But in view of the stress that has always been laid upon

<sup>1</sup> Adams to de Neuville, March 29, 1821. *Ibid.*, pp. 164-165.

<sup>2</sup> Adams to de Neuville, June 15, 1821. *Ibid.*, p. 182.

<sup>3</sup> Letter to Robert Walsh, November 27, 1819. Madison's *Writings*, Vol. III. pp. 153-154.

The date of the letter renders it probable that Madison's attention was called to this difficulty by the administration after France had raised the question.

the fact that such commercial privileges in the case of Louisiana, the Floridas, and the Philippines were not granted in the ports of a *state*, and in view of Adams's frank admission that, under the circumstances, there had been a virtual suspension of a provision of the Constitution, one cannot avoid the feeling that, had the circumstances been generally known, public opinion would have regarded the continuance of the commercial privileges after Louisiana became a state as a breach of the Constitution, no matter how the difficulty might have been avoided by technical interpretation.<sup>1</sup> At any rate the point is of historical interest both for itself and because it apparently escaped the notice of those of the time, to whose distinct advantage it would have been to call attention to it, and also because it came up at a later date to embarrass our negotiations with France.

MAX FARRAND.

<sup>1</sup> It would seem as if Attorney-General Griggs must have been aware of this difficulty, and thought it best not to refer to it, for in his "Argument" in the recent "Insular Cases" before the Supreme Court he cited passages from Adams's letter to de Neuville of June 15, 1821, and only a few lines farther on this constitutional objection is stated in unmistakable terms. *The Insular Cases*, Government Printing Office, Washington, 1901, pp. 339-340.

## DOCUMENTS

### *The Papers of Sir Charles R. Vaughan, 1825-1835.*

#### *Concluding Statement:*

Vaughan's arrival in America almost coincided with the opening of the dispute concerning the northeastern boundary.<sup>2</sup> Those who are familiar with the difficulties about boundaries which fill so large a place in the colonial history of the eighteenth century know that in most cases the question became acute, not through any formal assertion of a claim by a colonial government but through the refusal of individual citizens to accept the jurisdiction of the colony which claimed their allegiance, on the plea that they were outside its boundaries. So it was in this case. The treaty of 1763 had arrived at a supposed solution of the boundary question which was in reality no solution. Owing to the lack of local knowledge and a proper survey, terms were used to define the boundary which were in reality meaningless. But the zone of country affected, the debatable land as one may call it, remained unoccupied and the difficulty therefore unbedded down till about 1825. Then as it would seem, individual settlers from Maine began to dispute the authority of the New Brunswick government surveyors. American land agents too were impressing on the settlers that they must get titles for their holdings from the governments of Maine or Massachusetts, as the case might be. In March, 1827, we find Vaughan telling Canning in a despatch that Clay has promised to restrain the governors of Maine and Massachusetts from any encroachments on the territory in dispute. That this was not without effect is clearly shown by a proclamation dated September 5, 1827, which is among the Vaughan papers, by which the governor of Maine tells certain citizens to abstain from any independent action of the nature of encroachment and if they are wronged to trust to their government to obtain redress. Yet it is clear from the correspondence between Vaughan and the governor of New Brunswick, Sir Howard Douglas, that encroachments still went on and that timber-cutting and occupation were taking place on the territory in dispute.

Vaughan at once saw that the present loss or inconvenience was a small part of the matter. The real danger was that the Amer-

<sup>2</sup> The comments on the letters that follow are by Mr. John A. Doyle, who wrote the introduction to the documents with a sketch of Vaughan's early career.—Ed.

icans might secure a frontier so near the St. Lawrence as to be a source of danger in time to come. One of his letters to Douglas clearly shows that he had grasped the temper of New England. "I find I have a tough, tenacious people to deal with here, which requires great firmness and above all great temper in those who have to deal with them." Vaughan's letters too show that he was quickly beginning to understand the *arcana imperii* of the United States. The Federal government is anxious to be just and even conciliatory but it lacks firmness in dealing with its constituent members. Even Jackson strong-willed as he is and well-disposed to England cannot forget that he will be a candidate for re-election and must consider the vote of Maine. And at a somewhat later stage of the dispute Vaughan writes that Jackson is showing "not the force . . . of his own character, but the temporizing character of Van Buren." He adds that "The United States Government is always timid when it apprehends collision with any State." And in the same strain he writes to Palmerston in April, 1831, "Whenever the executive part of this government is by accident in collision with the government of a State the policy of the former is generally of a feeble and temporizing character." Yet Jackson in his message of 1830 says that "the negotiations have been characterized by the most frank and friendly spirit on the part of Great Britain and concluded in a manner strongly indicative of a sincere desire to cultivate the best relations with the United States." It is clear enough what was Jackson's attitude in this dispute. He was anxious to avoid collision and willing to do much for that end. Yet he could not afford openly and definitely to tell Maine and Massachusetts that the Federal government would not support their claim.

In 1827 it seemed as if a solution had been found. The question was referred to the King of the Netherlands as arbitrator. His award was issued in 1831. Unfortunately it took a form which rendered it open to dispute. He admitted that no exact boundary as set forth in the terms of the treaty of 1783 could be found. But he recommended the two governments to accept a boundary which equitably represented the intentions of the treaty of 1781. The American government declined to accept this on the plea that the reference to the arbitrator simply authorized him to interpret the treaty and that it was beyond his authority to recommend a compromise. Maine furthermore refused to accept the arbitration on the curious plea that the King of the Netherlands was no longer in the same position as when appointed as he had lost three-fifths of his subjects by the separation of Belgium and was now dependent on the good-will of Great Britain.

The further course of the dispute may be best learned from the following papers :

XII. CHARLES R. VAUGHAN TO THE EARL OF ABERDEEN.

WASHINGTON. 12. Octr. 1830.

*My Lord*,—I received on the 12 Augst. a letter (a copy of which I have the honor to inclose), dated the 5th. July, from Mr. Black, who in the absence of His Majesty's Lt. Governor of New Brunswick, Sir Howard Douglas, administers the Govt. of the Province. Mr. Black informed me in this letter, that the marshal of a district, in the State of Maine, had sent a deputy into the territory in dispute between his Majesty and the United States, with instructions to take a census of the population, as though the inhabitants belonged decidedly to the United States.

It appears by the copy of the instructions, inclosed in Mr. Black's letter, given by the Marshal of Maine to his Deputy Genl. Webber, that the census was to be taken in that part of the county of Penobscot called the Madawaska Settlements and also in all the settlements upon the Aroostook river. General Webber was ordered to desist from taking a census by a magistrate acting under the Government of New Brunswick, and he readily complied with his orders, and retired from the disputed territory. As the General Government has not in any shape notified this proceeding to me, from whence I infer, that they acquiesce in the right of the British authorities to require the agent from Maine to desist from taking a census, I have not thought it necessary to demand of this Government a formal disavowal of such conduct.

Ever since the election of General Jackson to be President of the United States, the complaints on the part of the Government of the State of Maine of the encroachments by British authority, upon the disputed territory, which were so frequent under the preceding administration, have been discouraged, and have ceased. I trust therefore that your Lordship will approve of my having declined to renew the discussion of jurisdiction in the disputed territory, while I have expressed to Mr. Black in a letter a copy of which is inclosed, my readiness at all times to meet the wishes of the Government of New Brunswick, and the satisfaction which I derived, from the proper and successful resistance of the magistrates to the intrusion of General Webber.

XIII. CHARLES R. VAUGHAN TO VISCOUNT PALMERSTON.

LONDON

30 July 1832

*My Lord* . . . Certainly no people live under a form of Government which offers so many difficulties and uncertainties, in negotiations with Foreign Governments, as the United States. The examples are not infrequent of Treaties being rejected by the Senate, which have been concluded after long and tiresome negotiations by Plenipotentiaries appointed by the Executive.

As I have already stated the final settlement of the boundary question is not of importance to the Americans, but in my opinion it is of urgent necessity, on the part of Great Britain, if we wish to preserve undisturbed our relations with the United States. The moment that the rejection of the decision of the arbitrator is decided upon by the United States, the Province of New Brunswick must be placed in a safe defensive state by the arming of the Militia and the Governor will, as before the Arbitration, be in a constant state of collision with the State of Maine about encroachments and disobedience of the Americans settled in and near the Province, and about the exercise of jurisdiction over the disputed territory, which clearly belongs to England, until that portion of New Brunswick which is yet in abeyance between the two Governments, shall have been finally set off and separated by a settlement of the boundary.

One essential point in that settlement is a secure communication between the Province of New Brunswick and Lower Canada, which I have been given to understand might without difficulty be preserved, should we be obliged to abandon the Post Route hitherto used through the disputed Territory, by a very easy and practicable line, entirely through British Territory.

XIV. CHARLES R. VAUGHAN TO VISCOUNT GODERICH.

LONDON

7th Feb. 1833

*My Lord.* . . . In addition to the above motives for not hastily closing with this offer to negotiate, a new pretension by command of the Senate has been inseparably attached to it, namely, a right to the navigation of the river St John. To concede this right would place the British subjects in New Brunswick in competition in their valuable Timber Trade, with the Americans, who would find an outlet for the timber from the vast Forests of Maine by that River, the military defences of New Brunswick on the Frontier of the United States would be turned, and the concession of the principal must open to the Americans the Navigations of the St Lawrence.

I consider the last clause in the offer to negotiate, as the probable motive for the rejection of the decision of the King of the Netherlands. The navigation of the St John's has long been an object of great importance with the people of Maine. The facility with which the Americans put forward a pretention, and the pertinacity with which they will insist upon it, makes one inclined, at once, in such a case as the navigation of the St John's to insist upon its being withdrawn as connected with the settlement of the Boundary as it involves interests which require consideration.

It is my opinion that the sooner this pretention is rejected the better, for so long as there is a chance of Great Britain admitting it to be a question fit for negotiation, in combination with the Settlement of the

Boundary, there is no chance of the Senate in some future Session reversing and revoking their rejection of the Boundary line suggested by the King of the Netherlands.

There was a minority of 8 to 34 who voted for accepting that line. The President and his ministers were disposed to acquiesce and I cannot but feel inclined to believe that when the pretention to navigate the St John's is decidedly rejected, that the Americans will be convinced that they are putting themselves into the wrong, by not acquiescing, as Great Britain has done, in the decision of the King of the Netherlands. I take it for granted that H.M. Government are not inclined to retract their declaration of declaration of willingness to agree to that line of Boundary.

I submit these observations to H.M. Government, as I conceive that the time is arrived when an answer must be given to the offer of the President to negotiate and the rejection of the Navigation of the St John's might be declared in any note which the British Government might think it right to send to the Government of the United States, should it be thought expedient formally and officially to demand further explanation before it can decide upon the expediency of entering in-to a negotiation.

In my opinion, the best termination of the Boundary question, would be that the Government of the United States should reconsider and acquiesce in the Boundary proposed by the King of the Netherlands. Should they ultimately consent to do so, it might afterwards be worth while to remove them by negotiation from the St Francis River, and from the Northern side of the St John's by some equivalent elsewhere.

There are certain difficulties attending all negotiations with the United States, peculiar to their Constitution of Government, which ought to induce a reluctance in Foreign Powers hastily to embark in negotiations with them. I allude to the subserviency of the Executive to the dictates and interests of the State to be principally affected by the result, and to the share or participation which the Senate has in making Treaties.

A negotiation at Washington for adjusting the Boundary, would be in fact a negotiation with the State of Maine carried on through the medium of the Executive. The President Jackson having now secured his re-election for the second term of four years, might be less inclined to attend to all the interested views of Maine, than during the last summer, but any Treaty concluded by Plenipotentiaries, and with his perfect approval, must be submitted to the Senate for their confirmation before it can be offered for ratification. The Senate has repeatedly undertaken to discuss a Treaty, as though it had not been framed by persons authorized to make it, and to alter it at their pleasure and even to reject it.

A treaty upon the Boundary would be submitted to a Senate composed of two thirds of the members, who have already prejudged the British claims, and decided in favour of the claims of Maine, when they rejected the line of Boundary proposed by the King of the Netherlands.

I venture to submit to your Lordship's consideration, the expediency of making a stand upon the decision of the King of the Netherlands in hopes that when the pretention to navigate the *St John's* is positively refused, to be considered as a part of the Boundary Question, the Senate may revise and revoke its resolution of July last.

I could not, without far exceeding the space at my disposal, trace the complex disputes arising out of the commercial relations between the United States and Great Britain. If Vaughan's American informants are to be believed, that dispute would in all likelihood never have arisen, or never at least become acute, but for the self-will and lack of candor of John Quincy Adams. Vaughan gives an account of a remarkable conversation that he had with Tazewell<sup>1</sup> of Virginia. According to Tazewell, when Adams was intrusted with the negotiations with Lord Castlereagh, he refused certain commercial concessions which would have obviated all future difficulty on the ground that they were dogged by conditions which would give the British government influence over the Indians on the American frontier. Castlereagh offered to revise these conditions in whatever manner Adams would suggest. "Mr Tazewell," Vaughan goes on to say, "assured me that he could never forgive Mr Adams for sending to his Government the proposals of Lord Castlereagh accompanied by a despatch containing his suspicions without one word of the frank disavowal of Lord Castlereagh. Had Mr Adams recommended the acceptance of these proposals, it has been observed in a newspaper (*New York Evening Post*, October 6, 1830) 'twelve years legislative war would have been avoided, and a commerce secured to the United States more valuable than with any other country than Great Britain.'"

To this Vaughan appends a marginal note "A committee of the House pronounced these proposals to be the most rational and reciprocally advantageous ever proposed."

Vaughan's arrival in America coincided with the conflict on the question of trade assuming an acute form. Up to 1825 the only measures of the nature of protection and exclusion had been on the side of America. The natural conditions of West Indian trade were that British vessels could load with West Indian produce and transport it to the ports of the United States on cheaper and easier terms than American vessels could. This, as a natural consequence by handicapping American vessels on their return voyage, tended to withdraw them altogether from the West Indian trade. Moreover, although the British government did not exclude American goods

<sup>1</sup> Littleton W. Tazewell, 1774-1860; Senator from Virginia, 1825-1833; for some time chairman of committee on foreign relations.—ED.



and American vessels from its colonial ports collectively, yet it did in individual cases. By custom house regulations certain ports were thrown open to certain goods. And it was alleged that this was so arranged that American vessels were, not excluded, but deterred from attending those ports from which the return voyage was most lucrative. To meet these restraints the American government imposed heavy differentiating duties depriving British vessels of their advantage. An act of Parliament in 1825 authorized the King by an order in council to close the British colonial ports to American vessels until the discriminating duties were withdrawn.

The conflict of views in the United States was not merely a question of local division. The tariff pressed with varying force on different victims of the industrial community. This is clearly pointed out in an extract from an American paper preserved by Vaughan. Producers of protected goods were not the only people who benefited by the tariff. Small importers gained because they were allowed credit for their duties and were thus mutually enabled to borrow capital. Common brokers gained because they charged their commission on the "long price" as it was called, that is the price paid by the importer after duty had been levied.

Vaughan's letters during 1826 and 1827 throw frequent light on the course of the dispute.<sup>1</sup> On the 2d of October, 1826, he reports a preliminary skirmish with Clay. The latter expressed surprise at the Act of 1825 being passed without any attempt at negotiation. Vaughan replied that the British government had given full notice of its intention, and that since then there had been nothing in the action of Congress to suggest any change of purpose.

In February, 1827, Vaughan wrote hopefully to Sir Howard Douglas the governor of New Brunswick. The United States government was, he thought, ready to meet Great Britain half way. If the British government would relax their protective system, America would, he believes, open her ports to British vessels and abolish the differentiating duties. Moreover the United States government would not demand that American produce imported into the West Indies should be put on the same footing as that coming from British colonies in North America.

Vaughan saw too that in this matter the government of the United States was not wholly in touch with public opinion. "With regard to the impression made upon the public as it is to be collected from newspapers there is less expression of angry feeling

<sup>1</sup> Gallatin was appointed minister to succeed King and to reach agreement with England on various controversies. Gallatin's letters on this subject are gathered in *Adams's Writings of Albert Gallatin*, Vol. II. Correspondence between Vaughan and Clay can be found in *Am. St. Papers, For. Rel.*, VI. pp. 257-259; 985.—Ed.

than is usual on such occasions and rather a regret manifested that the Government should not have avoided by its measures the loss of a very lucrative trade."

Ten days later Vaughan reports a conversation with Clay.

"Mr Clay has been in communication with the President who is still absent from Washington, upon the subject of the order in Council and I learn from him that when that order shall be carried into effect, it will in all probability be followed by a suspension on the part of the United States, of all intercourse, with our West Indian Islands, and with British North American Colonies. Upon my observing that according to my reading of the order in Council, the last-mentioned Colonies were exempted from the provisions of that order, he immediately replied that the Government of the United States could not fail to perceive in that exemption, a plan for making the British North American Colonies the deposits of American produce, to be carried afterwards from thence to the West Indies.

"Mr Clay seemed to think that there would be great difficulty in placing the trade between the United States and the British Colonies upon a fair footing of reciprocity and equality. He informed me, however, that after diligent enquiry he had convinced himself, that the claim was untenable which had been put forth by the United States, to have the produce of this country received in the British West Indian ports upon the same terms as the produce of British North American Colonies, of a similar description. It appears that the President, who always insisted upon this claim, has been persuaded by Mr Clay to abandon it and that Mr Gallatin is instructed to give up the point in his negotiations in London."

On the 30th of October Vaughan writes to Canning inclosing a newspaper article which he regards as inspired by the American government. Vaughan describes it as a labored justification of the government for not having abolished the discriminating duties. The noteworthy feature of the article is that it is not a defence of the protective system in itself. The writer only pleads on behalf of the government that the British government is not showing any inclination to meet the United States half way. The refusal on the part of the Senate to abolish the discriminating duties is justified upon the expediency of awaiting the result of negotiating to which it was necessary to resort, in order to settle a trade which had been the subject of controversy for thirty years and which would, otherwise, be still dependent upon acts of Parliament, upon orders in council and liable to such duties as the colonial legislatures might think proper to impose, from a view of their own insulated interests. In proof of the latter, notice is taken of an act of the legislature of Nova Scotia, imposing new duties upon articles imported from foreign countries, eight months after the acts of Parliament of 1825 were published.

In this article it is stated, that a power was left with the President of the United States to suspend the discriminating duties when-

ever satisfactory proof was given to him that like terms had been granted to American commerce and navigation in British colonial ports. This assertion is calculated to mislead the public, inasmuch as the *like terms* insisted upon included a relaxation of the whole colonial system of Great Britain, and when it was proposed to give that power to the President for the abolition of the discriminating duties imposed upon British vessels in American ports from British colonies, during the last session of Congress, the motion was dropped in the House of Representatives without any definite decision.

This article concludes with expressing a hope, that mutual concessions being made, the question "may come to an acceptable issue, at no distant period and if practicable before that prescribed for the recent sweeping order in Council to take effect shall have arrived; an order issued at nearly the very moment of the landing of a new minister from the United States, without his having an opportunity to hold a single conference with regard to it."

Upon the article Vaughan makes the following comment:

"This is not exactly correct, as I understand that Mr Gallatin had an audience with you, previously to the issue of the order in Council.<sup>1</sup>

"With regard to the hope expressed in this article, I shall attend to the instructions which I have had the honor to receive from you contained in your Despatch No. 24, and I shall carefully abstain from giving any expectation that anything which Mr Gallatin can now bring forward will alter the determination of His Majesty's Government.

"The article which I have enclosed, taken from a newspaper published at New York, contains a refutation of the arguments brought forward in a Report of the Committee of Commerce against the abolition of the discriminating duties, made during the last Session of Congress, and points out many errors into which the Chairman of that Committee had fallen when treating of the British regulations of Foreign intercourse with the Colonies."

The matter was complicated by the existence of a trade between the West Indies and the British dependencies north of the United States, Canada and New Brunswick. It was possible for American vessels starting from their own ports to appropriate a portion of the carrying trade between these British colonies. This was facilitated by the fact that for a portion of the year the St. Lawrence was unnavigable. At such times the only outlet or inlet for Canadian exports and imports was by land and through the United States. It was, however, a fixed principle even with those who, like Huskisson, were for encouraging intercourse within certain limits between the United States and the West Indies that such intercourse should

<sup>1</sup>The order in Council is in fact dated July 27. Gallatin reached London August 7. Gallatin had not seen the order on his first interview with Canning, August 17. *Am. St. Papers, For. Rel.*, VI. 249, 346.—ED.

not encroach on the trade between British dependencies. That was as much an internal trade, a legitimate national monopoly, as the trade between London and Newcastle. Again if the Americans limited their retaliation simply to vessels coming from the West India ports where the duties of which they complained were levied, then in all likelihood vessels from Canada and New Brunswick having free intercourse on the one hand with the United States and on the other with the West Indies, would get the carrying trade into their own hands. Clay's views on this latter point are referred to twice in Vaughan's letters.

On December 5, 1826, Vaughan writes :

"Mr Clay is under a conviction that the ports of the United States shall be closed to British vessels proceeding from British Colonies in which the late order in Council should be carried into effect, but that all intercourse shall likewise be prohibited with the British North American Colonies exempted from the operation of that order.

"Upon my observing to Mr Clay that in that case the new measure recommended to the adoption of the Congress went far beyond the retaliation provided for and marked out by the Act of 1823, Mr Clay justified the extent to be given to the provisions of a new act upon the grounds that the British North American Colonies could not be permitted to profit by the interruption of the intercourse between the United States and the West Indies."

And again on December 20th.

"I apprehend from my conversations with Mr Clay, that the Congress will direct all intercourse with British Colonies by vessels of any nation to be strictly prohibited.<sup>1</sup> Mr Clay observes to me, that to shut the ports of the United States to British vessels proceeding from British Colonial ports only, from whence vessels of the United States are excluded, is objectionable, as thereby the carrying of produce of the United States to the West Indies would be thrown into the hands of the inhabitants of the British North American Colonies. To shut the ports of the United States to all British vessels from all British colonies indiscriminately would throw the carrying trade between the United States and the West Indies into the hands of the Danes and other powers. There is therefore the only alternative left of preventing all intercourse with the West Indies."

What follows is more hopeful.

"There is certainly a disposition in the Congress to call the Government to account for having allowed the intercourse with the Colonies to be in the state in which it now is, and this question has been discussed in the newspapers and in society with more temper and moderation than I could have expected.

"Mr Clay continues to repeat to me the complaint of this Government that the bar to further negotiation respecting Colonial intercourse was sudden and unexpected, particularly as they had been informed in the month of March last, that His Majesty's Government was preparing

<sup>1</sup> Such a proclamation was issued March 17, 1827. *Am. St. Pap., For. Rel.*, VI. 985; *State Papers*, 1st Sess. 20th Cong., Vol. I., Doc. 2, p. 36.—ED.

to resume the suspended negotiations, of which the Colonial trade was a part.

"In answer to this, I have reminded Mr Clay of the remarkable forbearance shewn during the last year by the British Government. The Acts of Parliament in question were passed in the month of July 1825, and were to have been carried into effect in the month of January 1826. But they were allowed to remain inoperative so far as regarded the United States, until the late order in Council fixed upon the 1st of December of this year for that purpose.

"Mr Clay has complained to me that these Acts were not communicated officially to his Government, upon which I observed that I never heard that it was the usage of nations to communicate to foreign Governments their legislative enactments for the better governing of their States; that I did not understand that any official communication of these Acts of Parliament had taken place to any other of the foreign countries, equally interested in their operation as the United States. It could not however be alleged, that this Government remained in ignorance of those Acts, as I reminded Mr Clay, that it was in the month of December 1825, that on the occasion of a discussion in Congress relative to the threatened closure of the port of Halifax, he sent his copies of the Acts to the Congress, when they were ordered to be reprinted for the use of members.

"The forbearance of the British Government continued throughout the Session of Congress, during which the abolition of the American discriminating duties was discussed, as the removal of them was felt to be absolutely necessary, before the United States could participate in the British Colonial trade under the new acts.

"I have reminded Mr Clay that the long forbearance of the British Government had been met by a resolution of Congress to leave the abolition of discriminating duties to be a subject of negotiation in London, which it was clear it could not be after the measure of opening the trade to the Colonies generally to all the world had been fixed by an Act of Parliament.

"In answer to this, Mr Clay has observed to me that he had now discovered that if the Congress had abolished the discriminating duties, they would have legislated in the dark. That it was now asserted that the United States could not come within the conditions of the Act of 1825 unless the Act of Congress also was repealed which restricted British vessels from clearing out in ports of the United States for the British West Indies, unless they had proceeded in the first instance to the American port from a British Colony.

"Mr Clay has also stated to me another objection to the conditions of the Act of 1825. The United States have great difficulty in consenting to treat British vessels, as the vessels of the most favoured nation, because by the engagements of the United States with Sweden and with other countries, it is mutually agreed that the vessels of either nation shall be at liberty to carry to the ports of the other the produce of any country.

"The British Navigation Act, Mr Clay observes, would prevent any reciprocity between Great Britain and the United States, which should give a similar latitude with regard to the produce which their vessels might import.

"With regard to the abolition of the discriminating duties, I ought to inform you that during that discussion in the last Session of Congress, I

gave Mr Clay to understand confidentially that Great Britain would, whenever the American duties were abolished, abolish the equivalent duty which had been imposed on American shipping in British Colonies."

The following letters illustrating the complexity of the situation, hardly admit of an epitome.

XV. CHARLES R. VAUGHAN TO GEORGE CANNING.

WASHINGTON

Feb. 28th 1827

*Mr Canning.*

*Sir,* The Act, which the Committees of Congress proposed to pass in consequence of His Majesty's order in Council, closing the Ports of the West India Islands to vessels of the United States, has at length been taken into consideration in one of the Houses of Congress, the Senate.

On Feb 21st the passing of the Act was called for by Mr Johnston, the Chairman of the Committee, and General Smith opposed the Bill, and offered an amendment. The purport of it was to open the ports of the United States, from and after the 31st December next to all vessels from ports of British Colonies which are already established or may be established hereafter as free ports, upon paying the same duties as upon cargoes in American vessels—and to suspend until the 31st December the Acts of Congress of March 1823—May 1820, and April 1818, excepting so much as imposes discriminating duties on the tonnage of Foreign Vessels and their cargoes.

General Smith recommended the adoption of his amendment, as being of a more conciliatory character, than the Act proposed in its present shape, which in his opinion implied a menace in the event of the British Government not agreeing to change its policy.

This amendment was favourably received by the Senate and ordered to be printed.

On the following day Mr Holmes a Senator from the State of Maine, moved to substitute for the amendment proposed by General Smith, one, which should declare, that the Act proposed by the Committees of Commerce, should be in force, unless the President should receive information before the 1st of August, that the British Colonial Ports were open to vessels of the United States—and that discriminating Duties on British Vessels and Cargoes should cease.

This amendment of Mr Holmes was rejected by 32 Votes to 13.

On the following day the 23rd February, the debate upon the Colonial Act was resumed by Mr Johnston, who replied to General Smith and supported the act brought forward by him as Chairman of the Committee. He was followed by Mr Holmes, who moved an amendment, the object of which was, to interdict the trade with the British Colonies, both by land as well as sea, as he beleived that so long as the trade through the Canadas should remain open, the object of the Bill

would not be obtained, which was, the coercion of Great Britain in the measures sought by the United States.

This amendment was opposed by Mr Sandford of New York, who considered the Bill under discussion, as very distinct from a commercial enactment, and to be considered as a Navigation Act, the object of which was to touch the Navigating interests of Great Britain, rather than to regulate the internal trade with the Canadas, through which very little flour was sent from the United States to the British West Indies.

Mr Holmes while supporting his amendment, confessed the injury which the measure he had proposed would do to the interests of the State of New York, and that the State of Maine which he represented would likewise be injured by it: as the act once passed, passed in the form proposed by the committee, the port of Eastport in Maine must become a depôt for the produce of the United States, to be conveyed thence to the British Colonies by the Island of Campo Bello (within two miles of it) which would be declared immediately a Free Port.

Mr Tazwell, who generally opposes the measures of the Government, spoke in favour of Mr Holmes proposal, to close the intercourse with the Canadas by land. He felt the injustice of leaving a trade, to be carried on by the State of New York and the Eastern States, which was to be entirely lost to the Southern States. He took occasion to deprecate the restrictive system in commerce, which the present administration of this country had manifested so strong an inclination to follow, and which must ultimately lead to a separation among the States.

The amendment of Mr Holmes closing the intercourse with the Canadas by land as well as by sea, was adopted by 32 votes to 12. The House was afterwards adjourned by the casting vote of the President.

On the 24th the discussion was renewed, and after several additional amendments had been proposed, the vote of the Senate was at length taken upon the passing of the Bill as proposed by the committee, when it was decided to reject the Bill by a majority of 9 votes.

I understand that it now remains to reproduce the Bill, altered according to the various amendments which have been proposed.

The Session of Congress must close on the 3rd of March, there is scarcely [time], therefore, for the Senate to agree upon an act in another form (considering the great variety of amendments which have been offered), which shall meet with the concurrence of the House, and it can scarcely be expected that a new act should originate in the House of Representatives where the discussion has not yet commenced, in time for the Senate to accede to it.

As I feel it my duty not to lose the opportunity of sending you some account of the proceedings in the Senate by the first Liverpool packet which sails from New York and as the sitting of the Senate was not over until a late hour last night, I cannot yet inform you of the course which it is probable will be pursued upon the rejection of the Bill as proposed by their committee of Commerce.



XVI. CHARLES R. VAUGHAN TO GEORGE CANNING.

WASHINGTON

3rd March 1827

*Mr Canning,*

Sir, I had the honor to inform you in my dispatch No. 9, that the act respecting commercial intercourse with the British Colonies, which had been offered by the Committee of Commerce, to both Houses of Congress, was rejected in the Senate. On the 28th February an amendment proposed by General Smith was carried by a majority of 32 to 10 and passed in the Senate as an act substituted for the one proposed by the committee.

I have the honor to enclose a copy of this act as it was transmitted to the House of Representatives, which at the moment of its being communicated was engaged in discussing the act as proposed by their committee, but it was agreed to suspend the debate and on the 1st inst. the act received from the Senate was taken into consideration.

The first section of this act provides that from and after the 31st December next, no other or higher duties shall be levied upon British vessels and cargoes arriving from any British Ports, declared by the British Government to be free. Free Ports, in the ports of the United States, excepting Florida, than upon vessels and cargoes belonging to the United States.

By the 2nd section of the Act of the Senate, the Acts of Congress of the 1st March 1823—of the 15th May 1820 and of the 18th of April 1818 are suspended until December 31st next, excepting so much thereof as imposes Discriminating duties on the tonnage of Foreign vessels and cargoes.

By the 3rd section it is provided that if at any time before the 31st December next the President of the United States should receive satisfactory evidence, that the prohibition to commercial intercourse between vessels of the United States and the British Colonies, mentioned in the order in Council of the 27th July 1826 has ceased or been removed and that no discriminating duties of tonnage or impost are levied within the British Free Ports, upon vessels and cargoes from the United States, the President is authorized to issue his proclamation, declaring that the acts mentioned in the 2nd section are *altogether* suspended and repealed.

In the House of Representatives on the 2nd of March Mr Tomlinson the chairman of the committee of commerce moved an amendment of the 3rd section of the act received from the Senate, a copy of which I have the honor to inclose.

The purport of it seems to be, to engage positively for the act of 1818 and 1820 being put into force on the 31st December next and for the repeal of the act of 1823, in the event of the President not having received information by the 31st December that should justify the issuing of the Proclamation as authorized by this act.

This amendment was opposed but carried by a majority of 80 to 56.



The Senate has refused to agree to this amendment after a conference, and the House of Representatives has resolved to adhere to it by a vote of 75 to 65.

The session of Congress must terminate to-morrow the 4th of March and as I understand that the question of Colonial intercourse is not to be again renewed in any shape in either House before the final close of the session, the Bill is lost, and that question must remain in the same state as upon the opening of this Session.

By the 6th section of the Act of Congress of March 1st 1823, the President is directed to issue a proclamation to put in force and revive the acts of Congress of the 18th of April 1818 and of the 15th May 1820, if at any time the intercourse between the United States and the British Colonial Ports should be prohibited by an order in council or an act of Parliament. The President stated to the Congress that he had thought it expedient, not to exercise the authority given to him by the act of 1823, when the order in Council was issued by His Majesty, but to leave it to the Congress which was about to meet, to decide upon what measures it might be advisable to adopt, as the Congress has thrown back upon the President, the adoption of measures, by the rejection of the Bills which have been under discussion, it is presumed that no alternative remains, than for the President to issue his Proclamation, putting in force the acts of Congress of 1818 and 1820.

These acts close the ports of the United States to British vessels from Colonies closed to the Americans and the act of 1820 closes the ports to British vessels from Lower Canada and New Brunswick and limits the import from certain British Ports enumerated and the produce of the country from whence they sailed.

Although the Congress of the United States has had before it the Bill recommended by the committees ever since the commencement of the Session, it has not been taken into consideration until within ten days of the close of the Session in either House, when amendments have been offered by members in both Houses according to the local interests of their respective States.

An amendment of the Bill was strongly supported in both Houses, which went to close the intercourse with the Canadas by land as well as by sea. Such an amendment though not finally put into the Bill was carried by a majority in the Senate of 32 to 12 and a similar amendment to the Bill from the Committee of Commerce was carried in the House of Representatives.

In the course of the Debate it was remarked, that for a length of time Great Britain, has been endeavouring to improve the resources of the Canadas, and to raise them up as rivals to the United States. The Representatives of the State of New York, Vermont, and the majority of those from Maine, resisted the closing of the intercourse by land with the Canadas. They estimated the value of the trade so carried on at 1,800,000 Dollars, of which sum, not 50,000 dollars, ever found it way to the West Indies. Many coarse articles of manufacture are furnished, it was

said, by the United States to the Canadas and they are dependent for their supply of salt, upon the State of New York. To close that intercourse went beyond the present object of repelling the measures adopted by Great Britain, and to do so was to enter at once into a contest for the balance of commercial advantages.

It was stated in Congress that though the navigation of the Lake Ontario was equally divided between the British and Americans, upon Lake Champlain 260 American vessels were exclusively employed. Quebec furnished a ready market for the produce of Vermont and the valley of the Lake Champlain the intercourse was greatly exceeded in value, by the trade which takes place between the western part of the State of New York and Montreal.

During the late discussion it was asserted, that the value of the trade between the United States and the whole of the West Indies (not the British alone), amounted to 7,156,000 Dollars. in 1821 it employed 32,000 tons—in 1823—70,000 tons, and in 1825, 101,000 tons of shipping.

The State of North Carolina, alone, employed in that trade 20.000 tons of shipping, and it was asserted that the West India Trade gave to the Navy of the United States 10.000 seamen.

I have ventured to notice some of the Statements which have been made during this discussion, without being able in any shape to vouch for their accuracy. It was observed by Mr Camberleng of New York,<sup>1</sup> that the Congress might rest assured, that if this branch of commerce was to be recovered, they must make very liberal offers to Great Britain.

The result of the discussion in the Congress, is, to leave the question where it was at the commencement of the Session. The conduct of the Government has been blamed for having left to negotiation, what should have been done, during the last Session, by Legislation; and a conviction prevades both the Government and the Country, that the United States have only themselves to blame for the situation in which they are at present.

The decisive measure of His Majesty's Government has had the effect of producing the consent of this Government to several points long disputed, and I trust that it may prove a seasonable check upon those exaggerated pretensions and that tenacity of opinion which has sometimes marked the negotiations with the United States.

XVII. CHARLES R. VAUGHAN TO GEORGE CANNING.

WASHINGTON

13th March 1827

*Mr Canning,*

*Sir,* I am not yet able to state to you in what manner the President means to carry into effect by his proclamation the closing of the Ports of the United States against vessels from British Colonies, the ports of which have been closed to American shipping by His Majesty's

<sup>1</sup> C. C. Cambreleng.—ED.

order in Council. Mr Clay has this day informed me, that he had expected that he should have been able by this time, to have made to me a communication upon the subject, but after several meetings of the President and the Ministers, nothing had yet been finally resolved upon; he has given me to understand, however, that a proclamation will certainly be issued by the President in conformity with the provisions of the Act of Congress of 1823, but at what time and in what manner the Proclamation should be carried into effect had occasioned repeated deliberations. Mr Clay has assured me that it is the intention of the Government of the United States to apply the measure pointed out in the Act of Congress of 1823, with as little risk of injury to British subjects engaged in the Colonial trade as possible, of the propriety of which, I told him, that there could not be a doubt, after the forbearance shown by Great Britain in carrying into effect the Act of Parliament of 1825, and the order in Council of the 27th July 1827, and after all parties in the discussion which had recently taken place in Congress agreed in one point, that of not carrying into effect any one of their proposed restrictive measures without due notice.

The President and his Ministers are again to assemble to-morrow upon this subject, and I have no doubt but that their final decision will soon be known.

I think that the Government of the United States has been anxious to receive some communication from Mr Gallatin before any decisive measure was taken and I learn that Mr Gallatin's dispatches lately received do not hold out to this Government, any hopes of a reconciliation of the views of Great Britain and of the United States upon the subject of Colonial intercourse.

XVIII. CHARLES R. VAUGHAN TO GEORGE CANNING.

WASHINGTON

21 June 1827

*Mr Canning,*

*Sir.* Although reports have reached Washington, of changes having taken place in His Majesty's Councils, as I have not yet received official advice of the change which may have taken place in the Foreign Department, I continue to address my Dispatches to yourself.

As the Secretary of State is absent from Washington, a temporary suspension of intercourse has taken place, between the General Government and Foreign Ministers, which must plead an excuse for my reports being now less frequent than usual.

The Legislative Assemblies of the State of Massachusetts have made choice of Mr Webster to represent that State in Congress as Senator, and the President and his ministers are thereby deprived of a powerful supporter of their measures in the House of Representatives, but he will continue to support them in the Senate, where a more formidable opposition will render his services equally acceptable to them.

I have learned from Mr Ward, who visited Washington on his return

home from Mexico, that the Representatives of that Republic, have rejected the commercial treaty negotiated by Mr Poinsett, the minister from the United States. Whenever this event is generally known in this country, it will probably contribute to exasperate the feelings against the President, which have been excited by the loss of the Colonial trade, which has been attributed to his mismanagement.

The newspapers attached to this Government are still employed in giving a colour to the late discussions upon that subject, with His Majesty's Government, favourable to the American ministers and I presume that the subject will be renewed in some shape or other, very soon after the meeting of Congress on the 4th of December next.

It is known here that representations have been made by the people of the British North American Colonies, to induce His Majesty's Government to continue the present suspension of intercourse between the United States and the British West Indies, which will probably lead to a renewal of the proposals which were so favourably received during the last Session of Congress, for throwing every obstacle in the way of commercial intercourse by land with the Canadas. It is conjectured that efforts may be made to regain the Colonial trade by acts being passed in Congress which should place, unequivocally, the United States within the conditions of the Act of Parliament of 1825.

I should be happy to learn in what manner any such measures would be received by His Majesty's Government that in my intercourse with the several parties here my language might be in strict conformity with those views.

The following letter from Huskisson, preserved among Vaughan's papers is full of interest as explaining the policy which greatly prevailed. It shows too how carefully Huskisson, aided by Vaughan, was feeling the pulse of American opinion, though in one instance he committed himself to a rash prophecy.

XIX. WILLIAM HUSKISSON TO JOHN BACKHOUSE.

RICHMOND TERRACE,

15th June 1829.

*To Mr Backhouse,*

*My dear Sir,*

I called the attention of the House to the American Tariff at the close of last Session, the day before I left town for the Continent, 18th July. I have this morning looked at the report of what I said in Hansard's Debates,<sup>1</sup> but it is very incorrectly given. I do not

<sup>1</sup> Vol. XIX, new series, pp. 1768-1775. "The rice of India would soon (indeed it was already doing so) usurp the place, in our list of imports, which that of Carolina had done. In other articles the same change would soon be observed. With reference to cotton, that raw article so essential in our great staple trade, it was only necessary to give its culture in India the same encouragement which the indigo trade had obtained, to ensure its cultivation with equal success."

William Huskisson, 1770-1830, represented Liverpool in Parliament. He was for a time President of the Board of Trade and afterwards Secretary of State for the Colonies.—ED.

recollect any other occasion upon which I *adverted directly* to the American Tariff, but I have frequently had imposed upon me the duty of expounding the principles generally applicable to matters of this nature. The only speeches which I recollect to have revised and printed separately, in which those subjects are incidentally discussed were,—1st. one on Foreign Commerce. 25th March 1825. 2nd one on our Colonial Policy, 21st March 1825. 3rd. one on shipping and Emigration, 12th May 1826,—and 4th. another on the same subject, 7th May 1827. All published at Hansard's. I do not recollect to have read any publication on the American Tariff except an article (not a very able one) in a late number of the Edinburgh Review.

The object of my speech last year, was to alarm the Southern States in respect to the means within our power, of drawing from other countries the articles with which we are now supplied principally from those States; and to show them (whether we resorted to those means or not) that in proportion as British manufactured goods were rendered dear to the American consumers, would the expense of raising their raw materials be increased, and our power, as well as our disposition, to purchase them be diminished. I was not for holding out threats of retaliation, at least in the first instance, and I am sure the Government has acted very wisely in avoiding any such course. It would have enlisted national feelings of a different description into a question altogether commercial, and have prevented the possibility of the Washington Government doing what it is now, I am glad to see, inclined to attempt, on grounds purely American. I trust this attempt will be successful, but if it should be defeated, as Mr. Vaughan apprehends it will, by the strength of Adams' party, it will expedite an event inevitable, I think, at no distant period—the separation of the Southern States—provided we cautiously abstain from taking any part in their domestic differences, and can avoid any dispute which might merge their internal dissensions in a feeling of general hostility to this Country.

I will only further state that I am perfectly satisfied that we have it in our power to encourage the supply of cotton and rice, from other countries, particularly Brazil and British India, and perhaps Egypt, in a manner that would, in a few years, render us far less dependent than we now are on the U.S, and that the means for this purpose may be carried into effect without any infraction of the existing Convention with the U.S. It will be most prudent, however, not to bring them forward till we see what Jackson can and will do.

Yours truly,

W. HUSKISSON.

XX. CHARLES R. VAUGHAN TO JOHN BACKHOUSE.

BOSTON,

28th August 1829.

*My dear Sir,*

I am very much obliged to you for the prompt attention which you have paid to my request, to be furnished with information respecting the operation of the last American Tariff, and with any arguments which might tend to shew the impolicy of that measure with regard to the interests to the Americans themselves. I have to thank you for a copy of the *Edinburgh Review*, and for some speeches of Mr Huskisson, but more particularly for the note addressed by him to yourself, from which I collect, with great pleasure, the facts that it is not the intention to bring forward at present any measures of retaliation in the British Parliament. I am very anxious that the question of the repeal of the tariff in the American Congress next winter, shall in no shape be injured by any indiscreet putting forward of *English* interests. If the repeal is to take place it must result from a conviction of the impolicy of the tariff as regards *American* interests. I have suggested to those who are anxious to get rid of the tariff, the necessity of applying with the utmost diligence to the amassing of information before the Congress meets, respecting the exact state of loss and profit in the manufacturing establishments which have sprung up under the exorbitant duties imposed on foreign manufacture. I have lately passed through some of the New England States, and wherever I have found manufacturing establishments, many of which are upon a large scale, I have invariably heard rumours of their very depressed state and of the prospects of their being abandoned. It has been stated to me that shares in manufacturing establishments which sold at 15 per cent advance on each share twelve months ago, are now at a discount of 75 per cent—this however is merely vague report.

Notwithstanding the President's determination to get rid of or to modify at least the tariff, I confess that I am under great apprehension that he will fail. It will be made the great question on which the parties of the Ex President and the present President will try their strength. The administration formed by General Jackson carries with it but little weight of talent or character, as it is at present constituted it has disappointed general expectation. It will be opposed upon the tariff question by a combination throughout one half of the States of persons who have vested their money in manufactures and of political characters who are pledged to support the American system.

In passing through the town of Lowell in New Hampshire I saw a fair specimen of the excess to which the national rage for becoming manufacturers has driven the people of the United States. I believe that I do not exaggerate the number of establishments in Lowell for the manufacture of woollens and cotton, if I rate them at 30, all large, well built piles of buildings. This rage for manufactures seems to indicate that notwithstanding temporary difficulties and losses the U.S. must ultimately afford a very contracted market for foreign goods: nor do I

believe that any free admission of American corn into British Ports will materially check the rage I allude to. The embargo and non importation acts which preceded the war of 1812 first gave the impulse to manufactures, and when the merchants in the United States were glutted with foreign goods [upon place taking place]<sup>1</sup> the outcry began of those who had embarked capital in manufactures for the protection of the Government which has been afforded by repeated tariffs in the most extravagant manner.

I beg your pardon for having ventured to write you so much upon this subject. I cannot conclude without requesting that you will have the goodness to continue to furnish me with any publications which may appear in England, from whence anything can be gleaned of service to those who are engaged in opposing the tariff.

It is remarkable that from the accession of Jackson we find next to nothing in Vaughan's papers which bear on the tariff question. With Jackson personally his relations were from the outset most friendly, and it is clear that Vaughan rated his character and ability highly and credited him with a cordial feeling towards England. Nor is there any trace of friction in Vaughan's dealings with Van Buren, and at a later date they were intimate. But it is plain that up to 1828 Clay was the American Politician with whom Vaughan was most intimate, that no one in the new Cabinet seems ever to have taken his place.

In March 1830 we find Vaughan writing to Lord Aberdeen that no relaxation of the tariff was to be expected. Northern opinion, he says, is too strong for Jackson to defy. The same view is expressed a fortnight later in a despatch to Parliament.

There is however a significant passage in that despatch. "American opinion," Vaughan says "has been quite precipitated by the language used in Parliament, and especially by Peel." Peel was only following the lead of his colleague Huskisson. Before the year was out the patient and tactful firmness had its reward. Jackson and McLane the American representative in England were both honestly anxious to come to terms and the discriminating duties were withdrawn.<sup>2</sup>

The troubles arising out of protection and out of the fiscal system favored by Clay, and by the Northern manufacturers were far from being over. They soon entered on an acute phase of which

<sup>1</sup> The words bracketed appear in the copy. I have inserted brackets to make meaning clear.—Ed.

<sup>2</sup> Mr. McLane, as minister to England, received humble and deprecatory instructions from Van Buren which have become somewhat celebrated because of the space given them in Benton, *Thirty Years View*, I., 216. Mr. Adams calls them "objectionable." *Life of Albert Gallatin*, p. 618. For the acts and proclamation ending the dispute see Herstlet's, *Commerce and Free Trade Treaties*, Vol. IV. 512 ff.—Ed.



we can learn much from Vaughan's later papers. But the difficulties were purely internal and affected Great Britain only remotely and indirectly.

Vaughan's actual share in the settlement of the commercial difficulty was but slight. Yet no one can read his papers and doubt that his influence counted for a good deal. His observation of the conditions of the dispute was keen, accurate and minute. He saw himself, and he kept clearly before his government, the main forces at work, and never suffered them to be obscured by temporary or personal issues. And it is clear too that his influence was steadily and successfully directed to modifying the temperature whenever it threatened to reach a dangerous heat.

As the following despatch shows, one of the great questions that Vaughan had to take in hand was that of the slave trade. For American statesmen the question bristled with difficulties and these were complicated by the fact that the suppression of the slave trade could not be kept distinct from that thorny business, the right of search.

XXI. CHARLES R. VAUGHAN TO GEORGE CANNING.

WASHINGTON,

30th September 1825.

*Sir,*

I have the honor to acknowledge the receipt on the 26th inst. by the Packet King Fisher, of your dispatch No. 3. accompanying a full power, with which His Majesty has been pleased to invest me, to enable me to sign a treaty, with the Government of the United States, for the more effectual suppression of the Slave Trade.

By the receipt of this full power, I am placed in the same situation, in which His Majesty's Government had placed Mr Addington, the late Chargé d'Affaires, who was empowered to conclude a treaty upon terms precisely laid down at the end of the last year, whenever the Government of the United States should manifest a determination to accede to those terms.

Of the nature of those terms this Government has been already fully apprised, and I have contented myself therefore with announcing, verbally, to Mr Clay, that I have received His Majesty's Full Power, which I shall be ready to act upon, whenever I shall learn from him that the American Government wished to carry the proposed treaty into effect.

Before I venture to shew any solicitude to reopen the question of the treaty, it appears to me absolutely necessary to ascertain the probable result of a renewed discussion in the Senate, particularly, as I am directed to submit to His Majesty's Government no other than a complete Instrument, one that shall have already received the ratification of that body.

In order to ascertain the feelings of the Senate, we must await its assembling in the month of December, as the opposition to the treaty



when last submitted to it, was in part attributed to the violence of Party spirit which chose to make the supposed cession of a limited right of search, a means of rendering Mr Adams unpopular, who was one of the candidates for the office of President, some hope might have been reasonably entertained, that the feelings of the Senate when it next assembled, would probably be changed. Mr Clay, however, reminded me, that the Senate had subsequently refused their ratification of a treaty with Columbia, because it contained a concession, similar to the one objected to in the convention with Great Britain, and he confessed that he did not see any reason to expect that the feelings were materially altered—at the period of the last discussion, Mr Monroe was President, and was very anxious that the treaty should be ratified. Mr Clay confessed that Mr Adams, who then had the department of state, was of a different opinion. The favourable disposition however, of the executive part of the Government is of less consequence, as it cannot exercise any control over the Senate. It must be recollected that the Committee of the House of Representatives to which the papers had been referred, previously to the breaking up of the Congress, presented but a vague report, unaccompanied with any recommendation to the House to reconsider the question. This was followed by a motion of Mr Forsyth expressive of disapprobation of any cession of the right of search.

Mr Clay said that the only circumstance which he had observed, indicating a change in favour of the Treaty, was in an article which had appeared very lately in a great number of Provincial newspapers purporting to be a letter from Sierra Leone, announcing that three American vessels had lately engaged in the slave trade, profiting by the absence of all American cruizers, and great regret was expressed in this article, that the proposed treaty with Great Britain had not taken effect last year, as it would have enabled the British Cruizers to seize the three American vessels.

Referring to all that has passed relative to the treaty for the suppression of the slave trade last year, and in the want of instructions upon the subject, and knowing that the senate has not undergone any such material change in its composition as can reconcile one to running the risk of again calling for the submission of the treaty to the ratification of the very same individuals who so lately manifested their dislike of the stipulations which caused its rejection, I shall content myself with having announced to the ministers of state that I am in possession of full powers until I receive fresh instructions from His Majesty's Government.

The paucity of any later references to the business show that both Vaughan and the government for which he acted had but scanty hopes of successful negotiation on this point. In this matter Jackson inherited and continued the policy of Adams. On one occasion we find that Jackson refused to sign a convention for the suppression of the slave trade on the ground that it would give British officials the opportunity and pretext for interfering with

American vessels. And scattered references show that on more than one occasion Vaughan's tact and power of conciliation were called into play to settle differences arising out of an alleged abuse of the right of search.

So far I have confined myself to those definite questions of international relations of which the history can be traced out in full, or at least largely illustrated, from Vaughan's despatches and the papers which accompany them. I now propose to deal shortly with those passages which throw light on the various pictures of national life which came under his notice, and on the working of American constitutions and the character of leading statesmen.

It was Vaughan's practice throughout life to leave memoranda of remarkable incidents, possibly designed to serve either himself or those who came after him as materials for a connected biography. Of such the following is an interesting specimen. Probably most students of American history will think that Vaughan's informants overrated Monroe's faults, and did inadequate justice to his merits.

XXII. MEMORANDUM BY CHARLES R. VAUGHAN.

Mr Monroe—Ex President of the United States.

Mr Archer of Virginia and Mr George Erving discussing at my table the character of Mr Monroe on the 3rd January 1830, made it appear that he was a very inferior man in point of talent, with great indecision of character, and perfectly unfit to manage any affairs even in public or domestic life.

General Washington once conceded to a prevailing party of the day, the nomination of a Minister to France during the Revolutionary movement in that country between the years 90 and 93. That party proposed Mr Monroe to the great surprise of Washington, as he had never shewn any talent in public life. However he consented to his appointment and after a short residence in France Washington was obliged to recall him. Monroe afterwards became the personal friend of Jefferson and Madison, and it was asserted that he had been repeatedly saved by them from repeated disgrace.

He was sent to France to join Livingston and another American commissioned to arrange the purchase of Louisiana—as the purchase was arranged finally soon after his arrival in Paris, he had the credit of having concluded the negotiation, whereas the memoirs of M. Bourienne shew clearly that the price had been fixed by Buonaparte and that the Americans had paid about 3 million of francs more than the price which Buonaparte was willing to accept, and that Mr Monroe had not contributed in the slightest degree to the completion of the bargain.

By accident Mr Monroe had succeeded ad interim to the Department of War, when the successful defence of New Orleans by General Jackson took place, and the people chose to imagine that their success ought to

be attributed to the measures taken by the minister of War, Mr Monroe, and the result was that he was named President of the United States.

Mr Archer and Mr Erving in short described Mr Monroe as a man of most feeble character, as the creature of circumstances, constantly indebted to the decided support which he received throughout his public life, from Messrs Madison and Jefferson.

As an instance of the debility of his character, they mentioned that when he was President, he never gave away an office without requiring from the person to whom he gave it, all sorts of recommendations, which he might produce, should the propriety of his choice be called in question.

A despatch sent by Vaughan in his first year of office to Canning shows that another thunder-cloud heavy with coming strife, was forcing itself on his view. In November, 1825, he reports that Illinois and Connecticut have petitioned for the abolition of slavery, that the governor of Georgia in his message has protested against this as an infringement of state rights.

A later despatch of Vaughan's reminds us of the fashion in which that system which southerners of the school of Calhoun and Stephens regarded as "airth's greatest boon" needed to be buttressed up. Vaughan reports to Lord Palmerston that he has had to intervene and ask relief from the Federal government to protect a British subject from the consequences of a state law of South Carolina. By that law a man of color though free, might, if the vessel on which he was a passenger touched at any port in South Carolina, be arrested and detained in gaol till the vessel sailed.

The following despatches, written just as the forces were marshalling themselves for the great Jacksonian battles show how fully Vaughan had mastered the main issues which divided parties, and how he clearly understood that the President was engaged in a double-handed conflict, in which he represented the unity of the Federation as against Southern nullifiers, the old Jeffersonian doctrine of state rights as against northern Whigs.

XXIII. CHARLES R. VAUGHAN TO THE EARL OF ABERDEEN.

WASHINGTON,

4th June 1830.

*The Earl of Aberdeen*

*My Lord,*

In my despatch No. 29, I had the honour to transmit to your Lordship a copy of the Message sent by the President to the House of Representatives, giving at length his reasons for refusing to sign a Bill, which had passed both Houses of Congress, authorising a subscription of 150 thousand Dollars to the Maysville Turnpike Road, to be made in the State

of Kentucky. On the last day of the Session of Congress a Bill was returned by the President to the Senate, with his refusal to sign it, communicated in a short message a copy of which is inclosed, in which the Senate is referred to the statement of his objections to similar Bills already made, upon the occasion of his rejection of the Maysville Road Bill.

The Bill returned to the Senate was to authorise a subscription of Stock to the Washington Road, and as it had originated in the Senate, they proceeded immediately to reconsider the Bill, according to the manner pointed out in the 7th section of the First Article of the Constitution, when 21 voted for the passage of the Bill and 17 against it, but as two thirds of the Senators present had not voted for its passage the Bill was rejected.

On the same day, the President announced to Congress his intention of retaining for further consideration two Bills which had been sent to him for his signature, having passed both Houses, the one for making an additional appropriation of money for the Louisville and Portland Canal, and the other appropriating 501,044 dollars to be distributed in almost every State and territory for constructing light houses, buoys and harbours.

With regard to the President retaining these two Bills, I have been assured that they were passed very late in the Session of the House of Representatives, which commenced at ten o'clock in the morning of the 29th and was continued until two o'clock in the morning of the 30th and that they were not sent to the President until the 31st a few minutes only before the final close of the Session.

Some objection has been made to the President returning a Road Bill, which he had signed, with a message, a copy of which is inclosed, declaring that he had signed it with an understanding that the Road was not to be continued beyond the Michigan territory. This qualified signature is thought to imply an unconstitutional right to construe the Acts of Congress.

The right of the General Government to dispose of money in the Treasury for promoting internal improvements, has long been contested in the United States. The Southern States have taken the lead in opposing a continuation of that system, and the President coincides in their opposition, believing that the profuse grants to States, every succeeding Session of Congress for objects of local rather than national advantage, will protract the term for the final liquidation of the National debt, and that the funds for such objects should be provided out of the resources of the States by their respective Legislatures.

A majority of the Houses of Congress having supported the system of grants from the Treasury for internal improvements, the only means left of checking the system, was, that the President should exercise his constitutional power of refusing his signature to Bills having that object in view.

The conduct of the President may induce a belief that the Congress must have separated with some feeling of resentment towards him, but I

do not think that the numbers of the members opposed to his election from the beginning will be increased by his decided resistance to grants of the public money for internal improvements, and I observe, already, that admiration is expressed of the firmness and decision with which he has taken his stand upon principles, which he is known to entertain with many of the most disinterested and distinguished persons in the country.

I must not omit to state to your Lordship that Bills were passed before the Congress closed, and were signed by the President, reducing very considerably the duties upon the importation of four articles received in this Country from the West Indies—molasses, salt, sugar and coffee. As I am not yet in possession of the Bills I cannot state the exact amount of the reduction of duties. I have already acquainted your Lordship with the proceedings of Congress with regard to the tariff. The members of the Southern States assert that enough has transpired to convince them that the "American System" must be abandoned within the course of a year.

Vaughan was in England on leave during the crisis of nullification and thus there is a serious gap in his correspondence as bearing on this question. The following letters throw an interesting light on the later phases of the contest.

XXIV. CHARLES R. VAUGHAN TO VISCOUNT PALMERSTON.

NEW YORK,

31st March 1833.

*Viscount Palmerston.*

*My Lord,*

I have the honour to inform your Lordship that I arrived here on the 26th inst. after a passage from Liverpool of thirty days, and it is my intention to proceed without further delay to Washington.

The last Despatches of Mr Bankhead will have made your Lordship fully acquainted with the proceedings of Congress, which terminated in the adoption of a Bill for modifying the Tariff Act, imposing duties upon Foreign manufactures. Upon my arrival at New York I found that intelligence had just been received of the final settlement of the dissension between the General Government and the State of South Carolina, the convention of the State having rescinded their ordinance, rendering null and of no effect the Tariff Act, as soon as the modification of that Act by Congress was submitted to them, a minority of only four voted against rescinding the ordinance. This decided majority seems to justify the inference which has been drawn from it, that the people of South Carolina, finding that they were not supported by any of the Southern States, were glad to avail themselves of any concession by Congress, to withdraw from the position in which they had hastily and injudiciously placed themselves.

I find upon my arrival here that all parties are well pleased that the



late serious indication of disunion in the Confederation has been fortunately put an end to. The great and influential State of New York, and the States of New England forgot their party animosities, which had been recently called forth by the Presidential election, and came forward at once to approve and support the principles of resistance to the pretensions of South Carolina, which were laid down in the Proclamation of the President General Jackson. Though the Southern States do not coincide with the opinions expressed by the President, and disapproved of the Tariff, their reluctance to join South Carolina at once destroyed all expectation of seeing a Southern Confederacy established, and it is thought that the late events may ultimately give additional stability to the present constitution of Government of the United States.

We are yet to ascertain the result in the North Eastern States of the abandonment of the "American system," which was established for the protection and encouragement of the domestic manufactures of the States. It is believed that that system must be abandoned before the term of nine years, which is the period fixed in Mr Clay's Bill for the final adjustment of Duties upon imported foreign manufactures. The greater Capitalists of those States who have invested their property in manufacturing establishments have derived this advantage from Mr Clay's Bill, that it has put a stop to the competition to which they were exposed, and already they have secured a better price for their goods.

The Session of Congress has closed with a singular and unexpected combination of Parties. The concession which has tranquilized South Carolina was brought forward by Mr Clay, the decided opponent of the President, and whose pretensions to be elected in his room rested upon his zealous and uncompromising support of the American system. The Bill of Mr Clay was substituted (sic) in the House of Representatives after the members had been involved in a fruitless discussion for some weeks of the details of a Bill for modifying the Tariff proposed by the Government.

All parties approve of the conduct of the President. A less decisive mind at the head of the Government in such a crisis, would according to general opinion have given rise to much mischief.

The right maintained by South Carolina, of peaceable secession from the Union, is now decided as unconstitutional doctrine, but it is expected that State Rights founded on their reserved sovereignty will be a fruitful source of discussion during the next Session of Congress. It seems to be a misapplication of terms to talk of allegiance to such a form of Government. Implicit obedience to the Laws is the bond of Union and the late events have proved how doubtful the duration of it is.

I lose no time in forwarding to your Lordship the information I have collected at New York, before I have had any communication with the Government of the United States as the correspondence of Mr Bankhead with H. M. Government is suspended in consequence of my arrival.



XXV. CHARLES R. VAUGHAN TO VISCOUNT PALMERSTON.

WASHINGTON

21st April 1833.

*Viscount Palmerston,  
My Lord,*

Though the Bill proposed by Mr Clay, and passed by Congress, admitting the principle that the duties upon imports shall be eventually reduced to a revenue standard, and that no more money shall be raised than may be necessary to the economical administration of the Government, has been received by the State of Carolina as a measure of peace and conciliation, yet it would appear, from a letter dated the 27th March, which has been published by Mr Calhoun, and other proceedings in the South, that the lots dissension is not yet finally settled.

Mr Calhoun asserts that the struggle to preserve the Constitution, and to arrest the dangerous tendency of the Government, so far from being over, is not more than fairly commenced.

The principle for which South Carolina contended has been acknowledged in Mr Clay's Bill—"The rejected and reviled right of nullification" has proved to be peaceable and efficient remedy. The theory of the Constitution, which during the late dissension it has been attempted to establish, denies that the constitution is a compact between the States, and denies its Federal character. The question now is, whether the General Government be a consolidated Government with unrestricted powers, or a Federal Republic of State[s] with limited powers. The Government must be restricted within its proper sphere, and its tendency like all Governments, to despotic rule, must be corrected. Such are the opinions published by Mr Calhoun, one of the ablest leaders of the nullification party. Whatever may be the personal influence of the leaders of the party, the principles advanced in the Southern States have received so decided a check, by the declaration of the people of a great majority of the States, against their right to nullify an act of the General Government that they cannot hope to act with effect.

Mr Calhoun recommends determined resistance to what is called the "Force Bill." The Bill passed by Congress, giving power to the President to enforce the execution of the Tariff law in South Carolina. When the Convention of South Carolina agreed to rescind its ordinance of nullification, it did not separate before by a vote of 132 to 19 they had nullified the "Force Act," and the Legislature of South Carolina has decreed that the existing organization of the Volunteers shall be maintained so long as the Bill remains unrepealed.

In a speech delivered by Governor Hayne, upon presenting, at the beginning of the month (April) a new standard to the Volunteers of Charleston, upon which the arms of the State were embroidered, he stated the force of the Volunteers throughout Carolina at 20,000 men, but only 500 volunteers appeared in uniform and armed at the celebration on that occasion, though the total force enrolled in Charleston was said on good



authority to amount to 13,000. The troops of the United States which were sent to the fortresses at Charleston, and the five companies collected upon the Frontier of that State in Georgia have been withdrawn by the General Government.

In Virginia, Mr Tyler, a distinguished Senator in Congress from that State, took occasion at a dinner given to him to justify the conduct of South Carolina and to reprobate the doctrine that the Government of the United States was the work of the people, and not the result of a compact between separate and sovereign States. He denies the claim of the Federal Government to the exclusive allegiance of the Citizen, and that an act of resistance to that General Government can be regarded as treason and rebellion, to be put down by the employment of the whole Naval and Military forces of the country.

Mr Tyler seems to consider the General Government as an agency created for particular objects. That allegiance is not due to it because it is invested with the power of providing protection against Foreign Nations, and for the common deference<sup>1</sup> and welfare.

I see that it is acknowledged by Mr McDuffie in a speech delivered in South Carolina that through the reduction of duties, under Mr Clay's Bill, would not be complete until the year 1842, many articles imported from Foreign Countries which are consumed in the Southern States, would be rendered free of duty in a short time. The price of linens and worsted stuffs would soon be reduced much in price, and that it was a just cause of triumph, that the stand made by South Carolina against the unconstitutional, unjust and unequal law of the tariff, had compelled the Government to abandon their system of levying duties on articles of foreign manufacture for the protection of domestic industry.

In Virginia there has been a great division of opinion, but the result of the elections which are just over in that State, indicates by the return of a majority of members to Congress, who are declared supporters of the President, the prevalence of opinions opposed to the principles lately put forth by the neighboring State of South Carolina. Had however another year passed without an adjustment of the Tariff, it seems very doubtful what might have been the line adopted by Virginia.

We must expect a renewal of debates upon the constitutional question of State Rights during the next Session of Congress. The Repeal and removal from the Book of Statutes, of the "Force Bill," will be one of the first measures adopted by the Southern States. It is rumoured that an attempt will be made, to unite the Southern States against the Union, by instilling the minds of the proprietors of slaves, that there is a fixed design in the Northern States to abolish Negro slavery. It is well known how sensitive the people of the Southern States are upon that point, and it is not impossible that a controversy will soon be excited upon that subject. I observe, that a great interest is taken here, in the feelings of the Government and people of Great Britain in relation to the emancipation of the slaves in the West Indies.

<sup>1</sup> Probably intended to be defence.—ED.



XXVI. CHARLES R. VAUGHAN TO VISCOUNT PALMERSTON.

WASHINGTON,

20th July 1833.

*Viscount Palmerston**My Lord,*

. . . The calm has not yet been disturbed in the Southern States, which immediately [followed] the mutual compromise of their interests and those of the Northern States by the Bill which passed at the close of the last Session of Congress modifying the duties upon foreign manufactures. It is asserted, however, that there is a deep and settled determination amongst the people of the South to bring about a separation. The people of the Northern States are unanimous and decided in maintaining the Union, and all parties united, on the occasion of the President's late visit, to express to him their admiration of the prompt, firm and judicious measures which he adopted to counteract the movement in South Carolina. There is evidently a disposition amongst some people without influence to excite a collision of interests between the Northern and Southern States, by agitating the question of the emancipation of the slaves of the latter, but the leading men of the North positively deny any intention of agitating that question in any shape, and by the constitution of the United States the Congress has no right to interfere, and the condition of the slaves is exclusively under the control of the Legislatures of the slave-holding States.

But the most interesting document in the whole collection bearing on the question of nullification is Vaughan's account of an interview with William IV., in which he explained to the King the situation, forecast its probable issue. It shows how far Vaughan was from accepting the view of the situation taken by Huskisson, who, as we have seen, looked on the separation of North and South as inevitable. The paper belongs to that class of memoranda, which, as we have already seen, Vaughan was given to composing.

XXVII. MEMORANDUM BY CHARLES R. VAUGHAN.

Communication with the King. Summary of Mr Clay and Hayne's Speeches on the Tariff.

In the month of March 1832, the reports of the state of domestic politics in the United States of America received by the Marchioness Wellesley from her family, and reported to the King, induced His Majesty to request my attendance at St James on the 11th April, when the King did me the honour to communicate to me that Marchioness Wellesley, then in attendance upon the Queen as Lady of the Bed-chamber had informed their Majesties that a separation would probably take place of the States at present forming the Union and that it became necessary for England to decide upon the policy which in that event should be adopted. There seemed to be a conviction upon His Majesty's

mind, that the right policy to adopt would be that of strict alliance with the Northern States. His Majesty however, commanded me to see Lord Palmerston and to make enquiries at the Foreign Office, and to examine any communications which might have been received there in confirmation of the information derived from the Marchioness Wellesley. His Majesty at the same time authorizing me to say to Lord Palmerston, that any negotiations to be entered into with the United States, should be entrusted to me and at the same time observing that he conceived that I should feel it to be my duty, and should have a pride in being entrusted with a negotiation so delicate and interesting, and declaring that it would entitle me to the Red Ribbon.

I ventured to express to His Majesty the reluctance with which I ever gave credit to reports so much in conformity with the expectations of my countrymen very generally manifested, that the United States must soon separate and that their Union could not long subsist. I was no stranger to the constant recourse to such threats whenever the interests of the several divisions of States were thought not to be fairly balanced in laws passed by the General Government. The only moment when the separation of the States was really to be apprehended, was, when the New England States shortly before the close of the last war with Great Britain, formed a Convention at Har[t]ford in Connecticut, for the express purpose of withdrawing from the war, which called upon them for great sacrifices on the Frontier of the British possessions in North America, while their commercial enterprise was completely paralyzed. Of later years the Southern States have talked of separation on account of the repeated high tariff of duties since 1824, on the importation of Foreign Manufactures in order to foster and protect the manufactories established in the North Eastern and middle States. The Southern States had been accustomed to supply themselves with articles of clothing for their slave population upon more reasonable terms from England, than those upon which they could be supplied by the manufacturers of the Northern and Middle States. I wished His Majesty to be aware that I had never witnessed a meeting of Congress since the passage of the Tariff Act of 1824, that the Southern Representatives had not in their speeches held a language amounting to a threat of disobeying the laws passed by the General Government, which they considered unjust, as injurious to their interests, and in their conversations, a separation from time to time, was insinuated. In addition to this irritation manifested generally upon the opening of Congress by the Representatives of the Southern States, it should not be overlooked that Mr Carroll from whom Lady Wellesley's information was probably derived, had one grief in common with the citizens of the Southern States, though a native of a Middle State, Maryland, which was, that he participated in all their difficulties and embarrassments arising from having his property invested in a large slave population.

I promised His Majesty to diligently to inquire, in conformity with his commands, into the nature of any communications which might have



been made to the Foreign Office bearing upon the reports which reached His Majesty of a meditated separation of the United States, and I begged permission to attend His Majesty to lay before him the result of my enquiries.

Upon seeing Lord Palmerston and the Under Secretary, Mr Backhouse, I found that no communication had reached the Foreign Office touching in any manner upon a projected separation of the States.

On the 13th of April I waited upon the King at St James' and informed His Majesty that I could not find in the Foreign Office any confirmation of the reports which His Majesty had condescended to communicate to me, and I repeated that my knowledge of the carelessness with which Americans permitted themselves to talk of separation, while their keen sense of their own interests must obviously prevent them from hastily risking such an event, made me very loth to credit any but exact and official reports indicative of such an intention, and that at all events ample time would be given to Great Britain to adapt her policy to the passing events, and that nothing could be more prejudicial to British interests, than any manifestation of an expectation of such an event.

As the question of separation, according to the report of Lady Wellesley was decidedly to be a separation of the Southern States from the Northern ones, I took the liberty of putting into the King's hands a memorandum of the general divisions of the States, as it is considered in America.

*Northern States* are—Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware.

The population of these ten States in 1820 was,—Whites 4,307,643. Free people of colour 107,828. Slaves 22,506.

*The Southern States* may be considered to be as follows—Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana. The population of these eight States including in them the district of Colombia was in 1820—Whites 1,967,296. Free coloured, 91,325. Slaves 1,299,829.

*The Western States* are—Ohio, Indiana, Illinois, Missouri, Kentucky, Tennessee. The population of these six Western States was in 1820. Whites, 1,607,851. Free coloured 13,670. Slaves 217,218. The territories of Michigan, Arkansas, Florida and the western districts had not in 1820 sufficient population to be admitted into the Union as States.

A consideration of the population of these States proves the imprudence and hopelessness of the Southern States seriously meditating a separation from the Northern States. The magnitude of their slave population which seems to keep them in a state of constant uneasiness, and the distress occasioned by that most expensive mode of agriculture, besides the Naval resources being almost exclusively confined to the ports of the Northern States, seems to render such a separation impossible. It is not probable that they would be joined by the Western States which have been peopled as much by emigration from the New England as the

Southern States, and the outlet for their agricultural produce is by Lake Erie as well as by the Mississippi. Besides the tariff having been supported in Congress by the Representatives of the Western States, the Southern States refused to receive from them their customary supplies of live stock.

My second interview with His Majesty terminated by his desiring me to give the paper which I laid before him to Sir Herbert Taylor and by commanding me to communicate to him anything which might come to my knowledge respecting the reported separation of the States.

On the 24th April I received a letter from Mr McTavish, who married the sister of Lady Wellesley and who lives in the family of Mrs Carroll of Maryland, in which he states, that the tariff question will not be settled until it comes before the House of Representatives, and that the Southern men are determined that there shall be a reduction in the duties and "it is even hinted that these delegations may not take their seats at the next Congress," unless they are met half way by the advocates of the tariff.

This is the only intimation I have had of the disposition of the Southern men to separate. In the Senate a debate had already taken place on resolutions moved by Mr Clay to support the American system, by continuing the high duties of the tariff of 1828, upon articles of Foreign manufacture which can enter into competition with similar articles manufactured in the United States, and the complaints of the Southern States and the arguments of the supporters of the American system may be collected from the speeches which have been transmitted to me by Mr McTavish, of Colonel Hayne of South Carolina and Mr Clay of Kentucky.

## REVIEWS OF BOOKS

*The Early History of Syria and Palestine.* By LEWIS BAYLES PATON. (New York: Charles Scribner's Sons. 1901. Pp. xxxvi, 302.)

ONE who undertakes to popularize large and far-reaching discoveries in archæology and ancient history runs many risks of comparative failure. Professor Paton, however, may in his present venture be credited with a comparative success. The chief significance of the book lies in the endeavor to present briefly and impartially and in a handy form the most valuable results of recent research into the long and obscure period which antedates the regal era of Jewish history. To this purpose the greater portion of the volume is devoted. Most of what is included in the last hundred pages is already familiar to the majority of students through the many publications dealing with the later history of the kingdoms of Israel as illustrated by the monuments.

The more ancient period is dealt with by Professor Paton in nine chapters: "The Earliest Inhabitants;" "The Old Babylonian Supremacy;" "The Amoritic Migration;" "The Rule of the City of Babylon;" "The Canaanitic Migration;" "The Egyptian Supremacy;" "The Hittites and the Aramaean Migration;" "The Rise of the Aramaean Nations;" "The Period of the Hebrew Judges." In an "Introduction" (pp. ix-xii) the chronological system favored by the author is indicated, the most significant point being that Sargon of Agade is placed at B. C. 2750 instead of 3750, the date furnished by the Nabonidus text of VR. 64. The date given by Nabonidus is certainly astounding; but palæographic criteria are not unfavorable to it, and there seems no special reason why exactly 1000 years should be dropped from it in any attempt at abridgement. The antiquity of the oldest Egyptian records is also minimized so that the author feels himself justified in saying (p. 3) that "the oldest Egyptian and Babylonian records do not reach further back than 3500 B. C."

Like other recent writers, Paton has little definite to say of the earliest inhabitants of Palestine. They were of the stone age: and "he is inclined to trace the occurrence of fair-haired blondes among Jews and other Semites to a commingling with this primitive people." He states, however, that Semites only are mentioned in the oldest historical records not merely in Palestine but also in Babylonia. The presence of the Semites everywhere in the lowlands of western Asia he explains as the result of a series of "Migrations" from the Arabian peninsula. He attempts (p. 7) to find an approximate date (3500 B. C.) for the first

Semitic overflow upon both eastern and western lands by inferring a sort of periodicity from the observed dates of later historical migrations. But the principle is precarious; and linguistic evidence alone makes it evident that there were Babylonian Semites long before the time thus alleged.

It is a pleasure to note that our author has estimated aright (p. 21) the nature of the "old Babylonian supremacy" (3200-2500 B. C.). It was in reality rather a commercial and colonizing occupation than an oppressive imperialistic dominion. His allusion, therefore, to a Babylonian "empire" over western Asia in these remoter days (pp. 17-22) must be taken as a figure of speech. There was no real empire in western Asia till the days of Tiglathpileser III., and the imperialistic idea in the strict sense is of Assyrian origin.

The "Amoritic Migration" (2500-2230 B. C.) is inferred mainly from the data furnished by Glaser, Hommel, and Sayce, which apparently show that there were Amorites in Babylonia at the period in question, as well as in Palestine, and that these founded a dynasty of their own, which was replaced by that of the Elamites. In connection with the invasion of Palestine by the latter people an interesting discussion (p. 31 ff.) is given of the historical situation described in Gen. xiv. The author decides that the Biblical story is in error when it makes Abram (Abraham) to have been the contemporary and conqueror of Amraphel, the Chammurabi of the monuments. Of the great patriarch he adds (p. 41): "These two names must have belonged originally to distinct personages. Abraham was the collective name of a group of Aramaean peoples, including not only the Hebraic clans but also the Ishmaelites and a number of other desert tribes. Abram was a local hero of the region of Hebron."

I can only allude to the following chapters by saying that they also may be commended to students as a repository of the latest information and the most ingenious theories upon the origins and relations of the oldest historical peoples of Syria and Palestine. The author may on the whole be classed with the school of Hommel and Sayce, but he is more sober and cautious than either, and his present book is therefore of more permanent value than their publications upon the same subject. It will be understood that his work is not in form a history but a narrative and descriptive sketch, which owes its value to its repleteness with facts and its suggestiveness.

A few inconsistencies may be noted. "Syria" is derived (p. ix) from Suri, which, in the view of the author, "meant Northern Mesopotamia and the adjacent districts of the Armenian and Taurus mountain chains." The combination is very doubtful. The author does not claim, however, that Suri embraced every part of classical Syria (pp. 16, 18), yet on map I (p. 20) Suri is made to comprise northern Syria. On page 39, Deut. xxvi. 5 is translated "an Aramaean ready to perish" while on page 114 we find the same phrase in the correct form: "a wandering Aramaean." Perhaps the etymologies of proper names are the most questionable feature of the book. It is hazardous, for example,

to explain Japheth as meaning "fair" (p. 5) and to connect Martu (Syria) with the "land of Moriah" (p. 16).

The full chronological tables (pp. xiii-xix) and the rich bibliography must not be overlooked. The reader would be the better of having some indication of the relative value of the books mentioned in the lengthy list. The treatises at present worth reading or consulting might perhaps have been marked with an asterisk. Among the articles upon Gen. xiv. (p. xxxi) might be added the valuable discussion by Bacon, "Abraham the Heir of Yahweh," in the *New World*, Vol. VIII.

J. F. McCURDY.

*Histoire des Israélites depuis la Ruine de leur Indépendance Nationale jusqu'à nos Jours.* Par THÉODORE REINACH. Deuxième Édition. (Paris: Hachette. 1901. Pp. xvi, 415.)

FOR the average person the history of the Jews ends with the destruction of Jerusalem by the Romans in the year 70 A.D. As a matter of fact it would be nearer the truth to begin Jewish history in the proper sense of the term with that date. The period previous to the loss of Jewish national independence is Hebrew history, divided again into various periods, beginning with the settlement of the Hebrews in Palestine and ending with the establishment of Judaism. In a stricter division Jewish history might be said to take its rise a century or two before the destruction of Jerusalem, when naught but a shadow of national existence remained. M. Reinach has therefore done a valuable service in opening up to the general reader the sources for the study of Jewish history during the long period that follows upon their dispersion throughout the world, and it is a testimony to the success of his undertaking that a second edition of his work, originally published in 1884, has been called for. The new edition has been revised and corrected, but with the exception of the last chapter, which has been practically rewritten, differs in no essential particulars from the first edition. The headings of the chapters have been changed somewhat, the entire subject divided into five books, and here and there paragraphs have been added or omitted. The work is intended for the general reader, and the plan adopted by Reinach is admirably suited to this purpose. The first period of Jewish history extends to the year 950 A.D. and covers in four chapters a general account of the state of Judaism before the destruction of Jerusalem, a survey of the Talmud, and then proceeds to trace the history of the Jews under the Roman Empire and in the Arabic world down to the extinction of the last trace of an ecclesiastical authority controlling the religious fortunes of the Jewish people. The second period, which comes down to 1200 A.D., treats of the condition of the Jews under Mohammedan rule and in the days of the crusades. In this section we are introduced to the Jews of Spain, Italy, France and Germany, their literary attainments as well as their relationship to the nations around being dealt with in an instructive and interesting manner.

The third section—in some respects the most important of all—covers the period 1200 to 1500 A.D. and is largely taken up with the darker phase of Jewish history involving persecution, followed by expulsion or proscriptive laws. The dawn of a new era is marked by the Renaissance and the Reformation, though several centuries elapse before the movement for a rehabilitation of the Jewish citizens in the various European states actively begins. It is hardly just to call this fourth section, extending from 1500 to 1750, “a period of stagnation,” for whether from an intellectual or a political point of view, the condition of the Jews certainly represents an advance over previous centuries. Reinach properly dates the “recent” history of the Jews from the middle of the eighteenth century, and in the chapter on the French Revolution clearly shows how this event marked the turning point in their fortunes. To many readers the last chapter on the nineteenth century, which is an admirable statement of condensed writing, will prove the most interesting. In rapid survey he traces the progress and status of Jews in Europe, Asia and America. In his conclusion he touches upon some of the phases of what is sometimes called “the Jewish problem.” Reinach writes in a broad spirit, and his impartial yet sympathetic statement as to the position occupied by the Jews at the present time will commend itself to the intelligent reader. Special attention might be called to the very valuable bibliography which Reinach has attached to his book and which it is gratifying to note is far more extensive than that found in the first edition. It is to be regretted, on the other hand, that he should have omitted a chronological table which is found in the first edition, and which is both more convenient and fuller than the brief list of principal events which he has substituted for the table in the new edition. The statistical table in the first edition was no doubt defective, but instead of being suppressed in the second edition it should have been corrected and brought down to date.

Throughout his work the author is animated by the evident desire to place the facts clearly and dispassionately before his readers and this manual is, therefore, to be heartily recommended as a safe and profitable guide to all who wish to inform themselves of the remarkable fortunes encountered by a people that has made such significant contributions to religion, science and civilization.

MORRIS JASTROW, JR.

*Plutarch's Themistocles and Aristides.* Newly translated with Introduction and Notes. By BERNADOTTE PERRIN. (New York: Charles Scribner's Sons. 1901. Pp. xii, 342.)

It is seldom that a book fulfils the proposals of its preface so exactly as this. To the ordinary English reader it seeks to offer a translation which though it owns the impossibility of reproducing in English “the illusive qualities which distinguish one Greek style from another” may still bring out “the spirit of Plutarch as a writer of *Lives*: the easy and comfortable movements of his thought; his attitude toward men who are strug-



gling with great problems of life and destiny ; his amiable weaknesses as a judge of historical evidence ; his relish for the personal anecdote and the *mot* ; his disregard of the logic and chronology of events ; his *naïve* appropriation of the literary product of others ; his consummate art in making deeds and words, whether authentic or not, portray a preconceived character,—a more or less idealized character ;"—and finally to convey an impression of that "atmosphere of bountiful literary tradition which Plutarch amply breathed before and as he wrote." To lovers of Greek history, notes and translation may show how the stories of great events gained and lost in the retelling, how reputations rose and shrunk in the fashions of tradition and "how for six centuries romance and invention went on weaving their unsubstantial robes around the dim figures of the man of genius and the man of mediocrity." To students and teachers in the schools and colleges they may afford a welcome opportunity "of getting behind the stereotyped phrases of the ordinary manual of Greek history into that stimulating atmosphere of doubt and uncertainty before conflicting testimonies which nourishes the judgment rather than the memory." To the professional student of Greek history the book modestly ventures to appeal only as an opportunity to compare his own opinions with those the author has formed, after weighing evidence accessible to both. But to the professional student of modern history it does most confidently appeal for so much attention as may convince him, if not already convinced, "of the substantial identity of the problems and methods of historical research in fields so remote from each other as this from his." Under every count the book's appeal is justified by its works, and will be heard.

The demand for a new translation of the *Lives* is imperative. No other Greek work is or ever has been so much read in English form as this. The version of Sir Thomas North (1579) spoke to the Elizabethan age ; it was Shakespeare's Plutarch and is a classic. But it was a translation from the French not the Greek, and for that matter has long since passed to its place among the monuments. The Langhorne translation (1770) with its mingled flavor of class-room rendering and gentle paraphrase has long since passed out of use. The translation which first appeared in 1683 under the name of Dryden and in 1859 took new lease of life through the revision of Arthur Clough served more than any other the use of the last generation. Its style is tedious and heavy ; Plutarch's long concatenation of clauses it reproduces with patient faithfulness ; the easy tone of conversation, whereby the sentence structure is redeemed, it fails to catch. As an exhibition of faulty bony structure it is a success, but the ameliorating flesh is not there. If there be however anywhere difficulties of interpretation, there is no lack of the obscuring gauze or convenient padding

Perrin's version may always be relied upon for accuracy ; it is always finely responsive to the subtlest values of particle, tense, vocabulary,—and seldom at the expense of good, straightforward English. Its distribution of Plutarch's rambling periods into clear English sentences is

accomplished with a cleverness of art worthy of all admiration, an admiration which those will best know how to render who have ever set themselves to the task of turning one of the biographer's paragraphs into genuine English.

Half the volume is occupied with the notes. These are scholarly, and never pedantic. All that the average non-professional reader can fairly ask for by way of explanation is generously offered. The strength of the annotation goes toward establishment of the historical background, toward measuring the departure of story from history and tracing the motives of the departure. Skepticism has full hearing; not always, we fear, Plutarch. Whatever is left standing can at any rate be safely regarded as history, and furthermore it must be said that though Plutarch is continually denied credence, it is done in so kindly and withal so charitable a spirit that the genial old Bœotian would scarcely take it amiss himself. Investigators in the field of modern history are likely to find these friendly little encounters between Plutarch and Perrin the most interesting and instructive portions of the volume.

The introductory essay on "Plutarch the Biographer" is a model for its kind both as to matter and to style. It is the most readable, and I believe also the sanest estimate of the great biographer and his works that exists. The separate essays on "The Themistocles" and "The Aristides" are valuable as containing the clearest available summary of the sources of these writings and of the method of their use. The essay on "Biography before Plutarch" might well have lain in fermentation somewhat longer.

BENJAMIN IDE WHEELER.

*Justinien et la Civilisation Byzantine au VI<sup>e</sup> Siècle.* Par CHARLES DIEHL. (Paris: Ernest Leroux. 1901. Pp. xl, 692.)

THIS volume belongs to a class of encyclopædic works which is attractive and useful to the historical student. While it can hardly claim to be an original contribution to our knowledge, it yet brings together into an available form the most important materials which belong to the period under consideration. Special students in art, law and religion might desire more exhaustive discussions in their respective fields of inquiry. But it is difficult to imagine how a more comprehensive and scholarly survey of the whole range of Byzantine culture could be given in a single volume. The work is one of a series entitled *Monuments de l'Art Byzantin*, published under the direction of the Minister of Public Instruction and Fine Arts. The author is familiar with the subject of which he treats. For fifteen years he has been an assiduous student of this and allied topics, and he has in that time published a number of volumes in the archæological field. The results of his special studies are conspicuous in the pages before us, which may be regarded as an epitome and culmination of his previous labors.

The present work shows the author to be not only a critical observer of historical facts, but a broad historical scholar who has thoroughly

mastered the literature of his subject. The period covered by the reign of Justinian is prolific in sources of information; and the author has prefaced his work with a comprehensive survey of these sources, Greek, Latin and Oriental, juridical and diplomatic, literary and monumental. The careful examination of original authorities and the unstinted use of the extensive material brought within his reach, indicate an unusual capacity for research. The work is a thesaurus of facts. It is clear and systematic in its arrangement, and evinces a good sense of historical perspective and proportion. The author divides his subject into three books. The first book deals with the personnel of the government, including a description of the Emperor Justinian, the Empress Theodora, the palace and the court; the second book, with the work of Justinian, including the government and administration of the empire; the third book, with the Byzantine civilization of the sixth century, as shown in the great cities of the empire, especially in Constantinople, Athens, Antioch, Rome and Ravenna. M. Diehl recognizes the difficulty of forming an impartial judgment regarding the character of Justinian, especially as the most distinguished historian of the time, Procopius, has given us such contradictory views as those contained in the *Edifices* and in the *Secret History*, the one describing the Emperor as superior to Themistocles in the success of his arms and to Cyrus in the wisdom of his administration, while the other represents him as comparable only to Domitian, a *mélange* of feebleness, of corruption, of dissimulation and of cruelty. The true estimate of Justinian, according to M. Diehl, can be formed only by reading Procopius by the side of the less distinguished and less prejudiced historians, Agathius, Evagrius and John of Ephesus, and above all by studying the deeds of the Emperor himself. The military, administrative, religious and diplomatic work of Justinian is reviewed in these pages with great appreciation, not to say admiration. The least satisfactory chapter is that which treats of the legislation of the Emperor. While the successive steps in the codification of the law are described with some degree of fullness, the author hardly seems to have a full appreciation of the historical significance of the *Corpus Juris* itself.

The third book, reviewing the Byzantine civilization of the sixth century, is remarkably well-conceived and well-written. The city of Constantinople, the center of eastern culture, with its intellectual and political agitations, its hippodrome, its church of St. Sophia, its variegated phases of religious life, its commercial activity—the city of Athens, with its survivals of paganism—the city of Antioch, with its riches, its grandeur and its rags—the city of Rome, with its new ecclesiastical imperialism—the city of Ravenna, with its reflections of Byzantine art—are all presented to the reader with picturesque vividness, as well as conscientious regard for truth and accuracy. In addition to a luminous literary style M. Diehl has given us a fine example of the art of illustration. His pages are profusely set with well-selected gravures of coins, medallions, mosaics, busts, plaques, architectural exteriors, interiors and details, plans, columns, pilasters, capitals, panels, reliefs and other illus-

trative materials. Considering its many excellencies, its breadth of view, its scholarly treatment, its accumulation of facts, its systematic arrangement, its lucid style, this latest work of M. Diehl must be regarded as one of exceptional merit, and a valuable aid to the student of this period.

WILLIAM C. MOREY.

*Select Documents of English Constitutional History.* Edited by GEORGE BURTON ADAMS and H. MORSE STEPHENS. (New York: The Macmillan Co. 1901. Pp. xviii, 555.)

FOR many years Stubbs's *Select Charters* has had no rival as a useful medium for bringing students in contact with the sources of medieval English history; but the fact that this book comprises mainly Latin documents has prevented its wide use in colleges and universities. During the past decade various attempts have been made to replace it with "reprints," "source-books" and "select documents," in the form of translations of the originals covering the whole ground of English history. There is danger of over-production in this field of activity. Some teachers who lack the requisite equipment have been tempted to undertake a kind of work which, if well done, requires a high standard of judgment and an expert knowledge of the sources. No historical task is more difficult than the accurate translation of medieval texts, for the meanings of many words cannot be found in Du Cange or other glossaries, but are learned only by long experience in using medieval Latin. Moreover, a good selection of extracts from the sources of English history, medieval and modern, presupposes a wide knowledge of those sources, which can be adequately acquired only after many years of hard study. Finally, the proper use of a good book of this kind in the class-room demands skill and learning on the part of the teacher.

In view of all these difficulties we are glad to welcome a collection of *Select Documents* edited by two of our most experienced university professors. Within the periods covered, from the Norman Conquest to 1885, the editors have aimed especially to illustrate constitutional and legal history; and therefore they give few extracts from the chroniclers or narrative sources. The chief fault that may be found with the scope of the work is that it begins with the reign of William the Conqueror. Though the best authorities are now inclined to accept the view that the Norman Conquest marks a "red line" of separation between what precedes and what follows, a full course of English history should include some study of the Anglo-Saxon period; therefore a few pages of extracts from the Anglo-Saxon sources would add much to the value of this book. Perhaps, too, a little space might advantageously have been found for material illustrating local government under the Plantagenet kings.

Professor Adams is responsible for the editing of the documents up to 1485, and his share of the undertaking was particularly difficult, because most of his material had to be translated. Many of the translations he has made himself; some he has borrowed from other books. The result is that the same Latin word or phrase is sometimes rendered dif-

ferently in different documents (for example, *comes Andegaviae*, "earl of Anjou," p. 40; "count of Anjou," p. 42). The work of translation has been well done, but it would be surprising if such a task could be accomplished without any errors. *Maritatio* in Henry I.'s charter of liberties seems to be equivalent to *maritagium* in the Great Charter, and denotes marriage portion, not "right of marriage." Would it not be better to render the last sentence in Chapter VIII. of Henry I.'s charter, "But if he shall have been convicted of treason or of felony, he shall make amends as is just"? *Sine emendatione* in Chapter XIV. of that document does not mean "without alteration," but without amends, *i. e.*, without any penalty. *Personae* in the Constitutions of Clarendon can mean "persons" only in the obsolete sense of that word, *i. e.*, parsons. In Chapter XII. of the Assize of Clarendon the last sentence is translated: "And if he shall not have been publicly suspected on account of the possession which he has, let him go to the water;" but if the comma is placed where it seems to belong, after "suspected," the sense of the whole passage is changed. The translation of *si ad aquam mundus fuerit* in Chapter I. of the Assize of Northampton (p. 21), "if he shall have been to the water whole," can be improved by comparing this enactment with Ethelred's Laws, III., c. 7, where we read of a person's having been "clean" (declared guiltless) at the ordeal. Does *hospitatus* in Chapter II. of that assize mean "hospitality" or the person who has been entertained? The proper translation of the last sentence of Chapter VII. of the Assize of Northampton seems to be, "They shall also hold the assize concerning robbers, etc., throughout whatever counties they are to visit, which (assize) was enacted by the advice of the king, his son and of his vassals."

In Chapter X. of the same text *de assiso redditu* should be rendered "fixed rent," or "rent of assize," instead of "returns from the assize"; and in Chapter XI. there is no reference to "payment," but the justices are to inquire who "owe" castle-ward, how much of this service they owe, and "where" they owe it. In the document of 1194 (p. 33) *super rotulum* denotes that the Jew is to swear, not on the roll or register of deeds, but on his roll or scroll of the Holy Law (the Thorah). Why should he swear on a register of deeds? The same phrase occurs in *Rotuli Chartarum* (ed. Hardy) p. 93; and the Jewish oath was taken in this way in modern as well as in medieval times (see F. Nicolay, *Histoire des Croyances*, 1901, Vol. I., p. 352). In Chapter XIV. of the Great Charter, for "under seal" read "singly" or "individually."

These corrections and queries are not presented in condemnation of the editor's work, but rather in response to his request for suggestions. The translation of medieval documents allows a wide latitude for conjecture and difference of opinion; and no translator or critic of a translator's work is infallible. The book of Professors Adams and Stephens is the best of its kind, and will doubtless do much to facilitate the teaching of English history.

CHARLES GROSS.

*A History of England from the Earliest Times to the Death of Queen Victoria.* By BENJAMIN TERRY. (Chicago: Scott, Foresman & Co. 1901. Pp. xii, 1100.)

To produce another general history of England which shall really be helpful requires an accurate knowledge of recent monographic literature, good judgment in the selection and arrangement of the materials, and a fair degree of literary skill in telling the story. In its general plan and execution Professor Terry's book has decided merits. It is not in any large measure, as the reader is frankly warned in the outset, a work of original research; but in most cases the author has known how to choose safe guides. In treating the many difficult questions of the Saxon and the later medieval periods, for example, he has wisely adopted the conclusions of such writers as Ramsay, Maitland, Round, Vinogradoff and especially those of Bishop Stubbs. Indeed it is the advantage of his work that it summarizes to date the results of special investigation. Moreover the narrative is dignified, forceful and attractive. There is a very well balanced distribution of space in treating the various periods and their subdivisions; while in the thirty-five maps and the thirty-five genealogical tables the reader is provided with excellent helps. There is, however, a very serious defect in the working apparatus. With the exception of an occasional foot-note, bibliography is entirely neglected. One cannot help feeling that Professor Terry has here committed a grave mistake in judgment. The day of one book in the study of history is passed. Bibliography is no longer to be regarded as a mere appendage or luxury which may be disregarded for the purpose of economizing space. A due consideration of the materials, both the sources and the general authorities, is an essential element of good historical work, however general. In a text-book it is furthermore required as an aid to right method of study and teaching. In a field bristling with hard problems, such for example as that of early English institutional history, foot-notes or the equivalent are absolutely necessary to a sound treatment. Often a statement of the problem, with the different views of specialists, is the best that can be done. It is the author's safeguard against the perils of a too fluent or dogmatic narrative.

Part I., covering in 124 pages the period to the accession of Edward the Confessor in 1042, is entitled "Teutonic England. The Era of National Foundation." The first chapter presents a compact and readable account of the Roman occupation and of the successive populations inhabiting Britain before the Roman Conquest. The next six chapters are devoted to the settlement of the Germanic tribes, and to the evolution of the Anglo-Saxon state and society to the rise of Norman influence under Edward the Confessor. In the main, Professor Terry has acquitted himself well in this part of his task. According to the commendable plan which he announces in the outset, he has treated with more than usual fullness in a book of this character the development of institutions. The local organization, in particular, so vital a part of old English his-

tory, is given something like the consideration which it deserves. Still there is no connected analysis of the local or the central constitution. To learn all that the author has to say on the shire or the hundred, for example, one must piece together what is given in connection with the different reigns. It is the old difficulty of harmonizing or combining the chronological and the topical methods. In this case, apparently, there would have been a clear advantage in a sustained discussion, perhaps in a separate chapter, of the institutional development, even at the expense of some repetition. Then there is danger of sacrificing accuracy to brevity or surrendering it for the sake of unqualified statements. It is certainly rash to assume, for instance, that the frithgilds of London—the police organization described in the *Judicia Civitatis Lundoniae* of Athelstan's reign—were ever actually extended to the other parts of England; this assumption perhaps rests on the authority of Ramsay. Again, in connection with the hundred system of Alfred, we are told that “to give weight and dignity to the decisions of the hundred court, the great land owners of the district who possessed five hides of land or more, the *thanes*, were required to be present and to assist the court in rendering just decisions. They themselves, however, were exempt from the jurisdiction of the local court, and held in their own halls a coördinate court for their people.” This is somewhat too summary a disposal of the vexed question of the origin of private jurisdictions. Positive proof of their existence before the reign of Cnut has not as yet been produced.

Part II., 1042–1297, contains a good account of the very difficult period of “Feudal England. The Era of National Organization” (pp. 125–316). The story of the Conquest is vigorously told; and the rise of Parliament, in its two Houses, carefully traced. The local organizations, however, are not adequately treated. A much fuller account, for example, of the rise and original character of trial by jury should have been given in order to convey the right impression of its real nature during the Norman period.

Part III., “National England. The Era of National Awakening,” is divided into three “Books”: the first dealing with the “Social Awakening,” 1297–1485; the second, with the “Religious Reformation,” 1485–1603; and the third, with the “Political Revolution,” 1603–1689 (pp. 317–804). No attempt can here be made to present a detailed analysis. On several important points the author's statements appear to require some modification. In the light of the most recent research the peasant rising of 1381 should be characterized more emphatically as an economic and social revolt; and in some of its leading incidents, notably the King's part at Mile End and Smithfield, the conventional story derived from Froissart must now be abandoned. Again, since the appearance of Miss Schofield's monograph, it is scarcely accurate to call the Court of Star Chamber a “special committee of the king's council.” The two chief justices were members of the court, but not of the council; and with this exception, even during the reigns of Henry VII. and Henry VIII., the two bodies were practically identical



in composition and functions. On the other hand, it is clearly an error to say that the High Commission Court was first made permanent in 1583. The commission of that year, of which no copy exists, was probably not essentially different in this regard from those of 1576 and 1601, or from any of those issued by the first two Stuarts. In fact the Court was as "permanently" organized under the first commission of 1559 as it ever was. Even the authority by which the celebrated oath *ex officio* was administered was then granted. Perhaps the best part of Professor Terry's book is that devoted to the Puritan Revolution and the interregnum. Here he has based his discussion mainly on the documents comprised in Gardiner's convenient collection, and the results are gratifying. Cromwell's greatness of character and the striking modernness of his views are properly appreciated.

Part IV., devoted to "Imperial England. The Era of National Expansion," brings the narrative down to the close of the nineteenth century (pp. 805-1068). The long course of social, economic and political growth and reform is carefully traced. There is, however, a singular omission, considering the author's avowed purpose of accenting the history of institutions, and considering the space devoted to it in the Saxon period. With the exception of passing references to manors, courts and towns, local institutions are practically dropped after the Norman Conquest. The parish, for instance, save for a notice of the newly created parish councils, is entirely ignored. The same is true of the quarter sessions, the poor law union, the municipal borough, and the various local boards which have arisen in recent times. Furthermore, one searches in vain for an account of Cabinet government, the ministerial system, or the modern Houses of Parliament. The book is provided with a table of contents and a good index.

GEORGE ELLIOTT HOWARD.

*Owen Glyndwr and the Last Struggle for Welsh Independence.*

By ARTHUR GRANVILLE BRADLEY. [Heroes of the Nations Series.] (New York and London: G. P. Putnam's Sons. 1901. Pp. 357.)

THE title of the series to which Mr. Bradley's book belongs imposes upon him the necessity of a certain amount of glorification of his subject, and prevents criticism of that subject's character, at least to the extent of depriving it of the element of heroism. Except for this necessity, more might certainly have been said of the purposelessness of Glyndwr's rising, of its destructiveness, of its lack of any constructive elements. The revolt of which he was the leader, if not the creator, seems like a tidal wave; as obscure in its causes, as resistless in its devastating progress, as futile in its refluence. Yet the same thing would have been said of the work of Wallace and Bruce, if this had not been justified by an ultimate success, and the man is none the less a hero in spirit because he labored for a losing cause.



Glyndwr emerges from the obscurity of the petty Welsh gentry, marked only by the possession of some of the old Cymric princely blood, and by a personal vigor and charm which afterwards drew many strange allies to him. He resisted the power of the Marcher barons, awakened the half-sleeping national spirit of the Welsh peasantry, utilized their always wakeful love of plunder, and for five years kept Wales swept reasonably clear of Englishmen, except in as far as they were ensconced in their castles or engaged in rapid and futile marches across the country. Then the perseverance of Henry IV. and the young Prince of Wales backed by the superior numbers, wealth, organization, and equipment of England made itself gradually felt, till Glyndwr was at last driven into exile and the Welsh again reduced to obedience. These events are told in this book with a clearness, reasonableness and fullness greater than anywhere else. It seems impossible that anything about his hero could have escaped Mr. Bradley's minute search, and impracticable for the known facts to have been grouped so as to tell the story better. In fact, Mr. Bradley is inclined to accept mere later traditions even too readily, on the ground that it might have been true, and in the paucity of definite contemporary statements. More than once, what has been admitted in the first place as a suggestion or a mere possibility comes in after discussion to be treated as an established fact.

The narrative is flanked by an introductory and a concluding chapter intended to trace the development of Wales up to the beginning of Owen's rising, and to follow its main fortunes since the close of that episode. In still another way Mr. Bradley has done much to make the surroundings of Glyndwr seem real. There is a fine picturesqueness in all his descriptions of the country in which the events took place. Scarcely a place is mentioned without some visual touch of description which shows that the author has seen it in person, and in many cases an excellent photographic reproduction of its modern appearance is given. Wales itself therefore is real enough. Yet for all this completeness of statement and conscientious and skilful use of the sources, Glyndwr remains a very shadowy personality. He was a national hero because he embodied and led a national rising, and because his name has been retained by the long memory of the Welsh. All that we can know of him is well told in this book, but even here there is nothing very tangible to set over against the wizard of Shakespeare's *Henry IV.*

E. P. CHEYNEY.

*Registres du Conseil de Genève.* Tome I. 1409-1461. (Vols. 1-4.)  
Publié par ÉMILE RIVOIRE. (Geneva: Kündig. 1900. Pp. ix,  
558.)

PUBLISHED under the auspices of the scholarly Société d'Histoire et d'Archéologie de Genève, this is an accurate and complete reprint of the first four volumes extant of the transactions of the *consilium ordinarium*, and the two larger councils of Geneva. The following facts drawn from

the *Registres* will indicate the nature of the records and the local institutions.

The *consilium generale*, composed of *cives, burgenses et incolæ* (or *habitatores*) [possibly those *habitatores* who had received the *sufferta*?] was the primary assembly of the commune. It assembled in the cloister of St. Peter's monthly (1459), or quarterly (1460), and exercised control over the two smaller councils, and the communal officers. It levied taxes, elected syndics and some other local officers, regulated price of wine, and ratified or rejected treaties. The four syndics, the constitutional executive officers of the commune, were elected by the *consilium generale*, the first Sunday in February. They received the oaths of the officers of the commune, and of the administrative representatives of the Prince-Bishop and Duke of Savoy. By 1409, when these records begin, the syndics had established the custom of associating with themselves, the four syndics of the preceding year and a number of councillors, usually eight, to form the *consilium ordinarium*. This council (the *petit conseil* of twenty-five of the sixteenth century) met every Tuesday, and usually three to five times weekly. It made a monthly tour of inspection of the city; elected the treasurer; conducted negotiations with bishop and duke; passed ordinances regarding grading, paving, cleaning, lighting streets, swine, fires, sanitation, prices of food and drink and hours of sales, courtesans, mendicants, games, schools, and carrying of arms. Between 1457 and 1460, there are the following suggestive indications of a play of democratic and aristocratic tendencies. In 1457, the council of fifty is created by the *consilium generale*, to avoid discussion in the latter of delicate diplomatic matters, and to check or sanction the action of the *consilium ordinarium*. The fifty are at first elected by the *consilium generale*, but in 1459 by the *consilium ordinarium*. A caucus of the two smaller councils, *unacum doctoribus et notabilioribus*, failed to dictate the nomination of "more useful" syndics in 1458; but in 1460 the two smaller councils nominated the successful candidates. In 1459, the *consilium generale* ordered that at its monthly meeting six or seven chapters of the franchises should be read, and three explained in the mother tongue, and an opportunity given any one to complain of any injury done in violation of this city charter. In 1460, the *consilium generale* revised a tax levied, under its orders, by the smaller councils, and forbade the fifty to levy taxes without the knowledge of the primary assembly.

The editors, MM. Rivoire, Dufour-Vernes, and Covelle, have transcribed the faded, abbreviated, and ungrammatical Latin with patience and skill. The only modifications of the difficult originals are of real service to the modern reader, viz.:—systemizing of capitalization and punctuation, and completion of the abbreviations. The valuable index of seventy-one pages gives modern French equivalents of places and low Latin words, and distinguishes by italics things from persons. It is usually accurate, though not complete. A few omissions of interesting items have been noted:—*L. Quinquaginta Consilium*, 167 (its creation!); *receptor*, 27, 132; *Carreriaz*, 107, 140, 148, 308; *cridæ*, 120,

123, 133, 268, 289, 351. The index to future volumes would be even more useful, first if more complete, at least under headings indicating constitutional processes, *e. g.*—*receptor*, 27, 132 (whose election is incorrectly assigned by Kampschulte to *consilium generale*), *electiones sindicorum* (ten out of sixteen omitted); second, if items were grouped logically rather than etymologically, *e. g.*—all proclamations should be found together under *cria* (cries) and not, as now, eight of them under *cria ville* (crieur) simply because *cria* occurs in the singular; and the election of syndics, pp. 69, 132, 135, 138, should not be omitted but entered under *electiones sindicorum*, though the form may be verbal, *electi*, or *fiat syndicus*.

Such a painstaking and generous publication is a genuine contribution to scholarship. The first official records of the growth of Genevan institutions possess far more than local interest, and the continuation of their publication, already undertaken by the society, will be eagerly awaited.

HERBERT D. FOSTER.

*The Epistles of Erasmus from his Earliest Letters to his Fifty-first Year, arranged in order of time.* English translation by FRANCIS MORGAN NICHOLS. (London: Longmans, Green and Co. 1901. Pp. xciii, 39, 496.)

AN event of no little interest to English students of the Renaissance is the appearance, for the first time, of a translation of the letters of Erasmus. Mr. Francis Morgan Nichols, the translator, has moreover done much more than merely to translate. He has undertaken to arrange the correspondence down to the year 1517 in a reasonable chronological order and to state at considerable length the reasons for his arrangement. The sequence of the letters is shown in a chronological register, and the explanations are given in a running commentary which is to be found partly at the beginning of the several chapters and partly in connection with each letter as it occurs. The present volume covers the period to 1509; a second volume extending to 1517 is to be expected.

Mr. Nichols's qualifications for his work are many and sound. He knows the Erasmian Latin with a knowledge other than that of the mere classicist. He seldom fails to get the right word or phrase to express the not always perfectly obvious meaning of the great stylist. His own style is easy and occasionally goes far to suggest the actual mood of one of the moodiest of men. So far as their general interest is concerned, the letters here given are perhaps the least attractive in Erasmus's whole correspondence. They begin with two groups probably written during and immediately after his residence in the monastery at Steyn; letters so obviously conventional in subject and tone that Mr. Nichols is probably right in his conjecture that they are little more than rhetorical exercises. They introduce us to the narrow circle of Erasmus's first literary sympathizers, with whom he kept in touch only so long as he needed them. His departure from the monastery, and the failure of his first attempts to



get his living from a patron led him into correspondence with various possible Mæcenases of whom we get glimpses especially in the letters to Battus and his first English friends at Paris. Gradually the capacities, the ambitions and the dominant passions of the man began to reveal themselves. We have in the first eight chapters of Mr. Nichols's collection about one hundred letters bringing the correspondence down to 1500 and including the first visit to England, probably in 1499. So far Erasmus had published practically nothing. He was nearly thirty-five years of age when he leaped at once into fame by his collection of *Adagia* published at Paris in 1500. This direct service to sound learning gave an immediate widening to his horizon and this is reflected in his correspondence. His increasing seriousness of purpose recommended him slowly to the attention of more and more persons, and he seldom had dealings with any one without leaving some epistolary trace. Mr. Nichols's arrangement brings out this development very clearly.

As to the chronology we may well doubt if any more conscientious or capable analysis is ever likely to be applied to this problem than may be found here. Certainly none ever has been. And yet it is pretty much all guess-work. The uncertainty is inherent in the nature of the case. Erasmus either cared nothing for chronology, or was quite willing to cover up the traces of many not altogether savory episodes in his early life by deliberately dropping or changing dates. He had no fixed system of dating, nor can we ever be sure that he changed his method to conform to the practice of the country in which he happened to be. His editors have been as indifferent as himself; so that the modern student is practically reduced to the text of the letters themselves for his points of attachment. Mr. Nichols has frankly accepted this situation and has done his best to interpret his text with reference to every allusion that could suggest a fixed point of time. In all this early period such allusions are rare; the case of the anniversary of a striking event, fixing Erasmus's departure from England is a great exception, and even here we have to change a date by a full year and accept a day and month on doubtful authority. Even all Erasmus's attempts to date events—generally rather roughly—by reference to his own age are of uncertain value since we are not sure of the year of his birth and have grave reasons to doubt whether he knew it himself.

It would therefore be too much to say that Mr. Nichols has settled, once for all, the vexed question of the Erasmian chronology, nor would he be in the least inclined to make so large a claim. What he has done is to offer a series of reasonably consistent arguments for a sequence which presents no gross violations of probability. He has brought to bear upon his task a great deal of learning and not a little information that may fairly be called in this connection "original." His work is likely to serve as at least a safe starting-point for future students in this unlimited field.

*Thomas Wolsey, Legate and Reformer.* By ETHELRED L. TAUNTON. (London and New York: John Lane. 1902. Pp. ix, 254.)

THE REVEREND FATHER TAUNTON, who has already made valuable and interesting contributions to the history of the Roman Catholic Church in England, has produced a work on Wolsey which is professedly a study of certain aspects of the great Cardinal's career rather than a complete biography. Leaving Wolsey the statesman almost entirely out of account, he devotes his main energies to Wolsey the churchman. While the author's enthusiasm for his subject carries him so far as to make him a special pleader, he has succeeded in calling attention to, and throwing light upon, an aspect of Wolsey's character and work which has been rather inadequately considered by modern historians. Father Taunton lays particular emphasis on the Cardinal's plans and endeavors for reforming the church in England, though the evidence which he cites fails to substantiate his somewhat extreme thesis: "that had his [Wolsey's] plans for reform not been interfered with by the Divorce, the religious history of England would have been very different. For Wolsey saw the disease and knew how to apply the remedy." The Cardinal legate's work of reform is considered under four heads: Enforcement among the clergy of a high standard of morals, discipline and duty by means of visitations; giving them greater opportunities for education by means of new foundations; transforming the abbeys of the larger towns into bishoprics; guarding against heresy, but rather by increase of knowledge than by repressive violence. Wolsey's efforts in behalf of education are well known; and the project concerning the bishoprics was a statesman-like conception later carried out, to some extent at least, by Henry VIII. and his successors. But the author fails to convince us that Wolsey was in the way of accomplishing much toward reforming the lives and discipline of the clergy. After describing a few of his efforts in this direction, mostly still-born, he leaves us nothing beyond the assertion that at the time of the Cromwellian dissolutions the monasteries included in Wolsey's legatine visitations were found to have been the best ordered of any. As to his treatment of religious innovations, the fact that he was not cruel by nature, that he was immersed in public occupations and little concerned with theological speculation, together with the fact that Protestantism had not yet grown to be a menace to the state will explain why Wolsey was no blood-thirsty heresy hunter, without ascribing to him any deep-rooted convictions on the subject. Father Taunton excuses his accumulating vast power and wealth, and even his aspirations for the papacy, on the ground that he was thus acquiring means to further his work of reforming the church. But it is open to question whether the Cardinal's motives were as unworldly as the writer would like to believe. He points, for example, to the two foundations at Oxford and Ipswich as fruits of Wolsey's right use of riches. But even if he had been able to carry out his original intentions with regard to these institutions, they

would certainly not have atoned for his notorious pluralism, and, as a matter of fact, the funds derived from the suppression of the smaller monasteries and the contributions levied from various abbeys went a long way towards covering their cost. The discussion of the divorce, written from the point of view of Wolsey, is the most successful part of the whole work. While it is not altogether "clear that the Cardinal is the only one that came out of the proceedings with clean hands," the author does succeed in showing that Wolsey's attitude was uniformly consistent, and that he was faithful to the interests of his master throughout. Although not absolutely above censure in all his dealings, he certainly shone by comparison with the other persons involved in the suit. Surveying his whole career, it would seem that Wolsey's estimate of himself in the dying words ascribed to him is the justest after all. Wolsey, the English statesman, and Wolsey, the servant of Henry VIII., was greater than Wolsey, the churchman and reformer. In conclusion, it should be said that the study is based on a wide and accurate knowledge of the sources and literature of the subject. Moreover, the author's estimates of contemporary men and events, so far as they come within the scope of his work, are sound and just. He is particularly outspoken in his denunciation of the aims and condition of the papacy and papal curia of the period. As to externals, the work is a most attractive piece of workmanship; the illustrations particularly are well selected and finely executed.

ARTHUR LYON CROSS.

*La Papauté et la Ligue Française. Pierre d'Épinac, Archevêque de Lyon (1573-1599).* Par l'Abbé P. RICHARD, docteur ès lettres. (Paris: Alphonse Picard et Fils; Lyons: Librairie A. Cote. Pp. xxxvii, 672.)

THIS handsome volume embodies the researches of a patient and conscientious worker, who has spared neither time nor labor in acquainting himself with the sources of the history of the second half of the sixteenth century. He has not been desirous that his readers should take his assertions upon his simple word. The bibliography is admirable. More than thirty pages are given to a valuable list of authorities in which the aim is to note, so far as possible, the precise value of each book or document. The list is one that will prove serviceable to future students. As the manuscript originals are scattered in various parts of France and even abroad, the author is at the pains to indicate not only the collections of which they form a part, but in most instances the very volumes in which they are bound up. In Paris the National Library, in its different departments, and the State Archives, including the papers of which the Spanish Archives of Simancas were despoiled, have been thoroughly explored. In Rome the despatches of the papal nuncios contained in the Vatican Library, recently thrown open to the inspection of historical scholars, rank next in importance; while the municipal and other collections of Lyons have naturally proved of great worth. The marginal notes are full and precise in their indications.

The prominence of the part played by Pierre d'Épinac in France during the troublous times of the League justifies the ample treatment of his life by Abbé Richard. This prelate was one of the most active of the personages that figured in the civil wars in the reigns of the last two Henries. He was a priest by profession, but a man much more addicted to intrigue than devoted to religion of any kind. The spiritual interests of his diocese gave him little concern. He left the duty of visitation wholly to his suffragan bishop. Much as his biographer is disposed to look favorably upon his character and conduct, Abbé Richard candidly admits, or rather volunteers the observation, that Épinac was "no saint." The future Archbishop obtained a place in the chapter of the cathedral church of Lyons as an ancestral right. Once admitted he succeeded his uncle almost as a matter of course. The uncle had been Archbishop, and when he died the public was not surprised that the somewhat worldly-minded nephew should be promptly elevated to the archiepiscopal see. It would rather have been amazed at the presumption of any rival claimant of the place. It made no difference that to the office was attached the "Primacy of all the Gauls." Patrician blood, not spiritual worthiness, was the determining consideration in the choice. Nor was the choice altogether bad, if a capacity to rule was a prime qualification. Moreover, if not a profound reasoner, Épinac was an impressive and an eloquent speaker. At the first States of Blois in 1576, where he made his appearance as representative of the clergy, he played his part admirably well. From this time forward he was never out of the public eye, as the most conspicuous champion of the exclusive claims of the order to which he belonged. The papal legate, Cardinal Gaetano, freely accorded him the superiority over all the other French prelates. Subsequently he became a member of the royal council, and was brought into intimate relations with Henry III., but more and more he gravitated to the party of the Guises. On the Day of the Barricades he was the Duke's constant companion. When the latter was assassinated by the King's command, Épinac was arrested and would have been put to death, had he not solemnly pledged himself henceforth to abstain from intermeddling with political intrigues. How he kept his word we cannot pause to indicate here.

The standpoint of Abbé Richard is that of a decided Roman Catholic. His book is dedicated to Cardinal Coullié, the present Archbishop of Lyons and Vienne. It bears, under date of January 9, 1901, the *visé* of the dean of the faculty of letters of the University of Lyons, and the *imprimatur* of the rector of the académie and president of the council of the University. It is published therefore with the full approval of the ecclesiastical and the higher educational authorities of Lyons. The author's aim is strict impartiality. Épinac's faults are stated with candor, not less distinctly than his merits. I have said that Abbé Richard does not hesitate to tell us that the "Primate of all the Gauls" was "no saint." He will not even vouch for the general morality of Épinac's life. He does not disguise the fact that Épinac's bad repute on this score pre-



vented Pope Clement VIII. from conferring on him the much coveted cardinal's hat, the ambition of the prelate's life as that famous diplomatist Cardinal d'Ossat tells us in his despatches. The author draws a line, however, at the stories of Épinac's more shameless lewdness that were current throughout France. These he rejects with tolerable decision; albeit he gives in the *pièces justificatives* two documents on which the charge rests, the one emanating from an anonymous doctor of the Sorbonne to Sixtus V. and the other from a correspondent of Cardinal Montalto, both written about a month before the imprisonment at Blois.

HENRY W. BAIRD.

*Maryland as a Proprietary Province.* By NEWTON D. MERENESS. (New York: The Macmillan Co.; London: Macmillan and Co., Ltd. 1901. Pp. xx, 530.)

THIS is a substantial contribution to the literature of American colonial history. It is not, in the ordinary sense of the word, a history of Maryland, but rather a series of studies on the economic, social, religious and political constitution of the province. It is evidently founded upon a careful examination of manuscript as well as printed sources of information, to which the reader is directed through a formal bibliography and a systematic use of foot-notes. Occasionally, however, one is perplexed by unduly abbreviated citations. And examination of the foot-notes in connection with the text suggests the query whether this study of Maryland history is not a little too closely occupied—perhaps necessarily so—with Maryland sources. In spite of marked constitutional differences between Maryland and other colonies, the careful student of Maryland history will find numerous illustrations of the working there of tendencies equally apparent in the history of her sister colonies. The writer seems to fail somewhat in an appreciation of these general tendencies.

In the introductory chapter, the author reviews rapidly the chief influences by which, prior to 1776, the strongly monarchical character of the early proprietary constitution was gradually weakened. This is followed by Part I., with its general heading of "Territorial and Social Institutions." In the first three chapters of this part, the proprietor and the people of the province are considered in their relation of landlord and tenant. The chief point of interest here is the gradual advance of public control over the land administration. Chapter IV., on "The Industrial Development," deals, first, with the growth of the tobacco culture and trade and the various efforts made to secure their proper regulation; and, secondly, with the gradual development through immigration, the introduction of new industries, and improved means of communication, of a higher and more complex economic organization. The last chapter of Part I. describes very briefly the development of social classes, the history of slavery being summarized in a single paragraph. The efforts made to promote public education are shown to have been largely ineffective, though there did exist a small educated class largely made up



of lawyers. The political resultant of this social development was a situation in which "a large part of the educated class was arousing and directing the opposition of the ignorant commonalty against a small body of office holders and society leaders that were closely united by the ties of kinship."

Something over two-thirds of the book is given up to Part II., on "Government." The first chapter on "The Executive" is an account of the personnel as well as the constitution of this department. Legislative encroachments upon the executive were evidently far less serious here than in many of the royal governments. Notable illustrations of this fact are the failure of the assembly to carry out the policy of temporary salary grants and the final retention by the governor of the right to appoint provincial treasurers.

The next four chapters deal with "The Legislature," "The Administration of Justice," "Military Affairs," and "Finance." In them all, the interest centers in the conflict between the monarchical and popular principles. Particularly interesting aspects of this conflict are the controversies over the extension of English statutes to Maryland and the regulation of officers' fees. The attitude of the assembly toward the governor during the intercolonial wars shows that here as in other colonies a sound insistence upon important principles of civil liberty was often closely associated with much pettiness and narrow provincialism. In these chapters, the author has told his story well, in spite of some diffuseness on minor points.

The concluding chapters are respectively entitled: "Local Government"; "Religion, the Church and the Clergy," and "Relations with the Home Government." The history of the toleration policy which has been pretty thoroughly thrashed over by previous writers is very briefly treated here, but considerable attention is given to the subject of ecclesiastical discipline in the later Anglican establishment. Not much is said of the dissenters. The last chapter is taken up largely with a review of the revolutionary movement in Maryland, 1765-1776.

The index might be better, but the table of contents is good and unusually full. On the whole, the author is to be congratulated on a scholarly piece of work which meets a real want.

EVARTS B. GREENE.

*La France au Milieu du XVII<sup>e</sup> Siècle*, d'après la Correspondance de Gui Patin. Extraits publiés avec une Notice Bibliographique par ARMAND BRETTE, et une Introduction par EDME CHAMPION. (Paris: Armand Colin. 1901. Pp. xxxii, 384.)

THIS collection of letters includes the period of French history between the beginnings of the Fronde and the death of Mazarin. The author was a celebrated French physician. His grandfather, whose name he bore, was *avocat du roi* at Beauvais; his father also followed the profession of law, being admitted to the bar at Paris in the week before the

Barricades of 1588. The son, however, departed from the tradition of his fathers. As a practitioner Patin's success was unusual. Among his patients at one time was Thomas Hobbes, whose writings, it is interesting to notice, were familiar to him through a French translation (pp. 114-115). Patin was elected *doyen* of the University of Paris in 1650 and he has left most interesting accounts of the duties of the office and of the method of election, all the ceremonials of which were "*fort anciennes et religieusement observées*" (p. 241). Not anticipating that the honor would fall to him, he had written to his friend Falconet on the day before his election: "la charge est fort honorable, mais bien pénible." In 1654 he was elected a professor in the Collège de France and later was a lecturer in the Collège de Cambrai. Fortunately for Patin's intellectual tastes he was rich. His library comprised 9,000 volumes and it must have been a pleasant place from his description of it (pp. 102, 112).

Patin's political perception was as weak as his literary instincts were good. He writes in 1657: "He (Mazarin) and Cromwell and the general of the Jesuits are three excellent persons to represent the tyrannous condition of these wretched times" (p. 226). His intensest feelings were hatred of Mazarin and the Jesuits. He was an ardent Frondeur and yet patriotic, too, as his dislike for Spain and those who sought her aid during the Fronde shows. He never sympathized with Mazarin's Spanish policy (cf. pp. 189, 198, 290, 296). "I would rather be the poor master of arts that I am," he writes, "doomed to live on bread and water, provided that I might dwell in my study, than be Mazarin and the author of as much evil as is this miserable minister." He speaks of the Fronde as "*notre guerre Mazarine*" (p. 33). Yet he does not always write of it with prejudice. His letters abound with statements and allusions which are luminous of the state of the times—the sentiments which actuate Paris, expectations of foreign aid, the devastation in the provinces (pp. 8-9, 21-22, 28, 33, 35, 40, 82-83). It is characteristic of Patin's political prejudice, that while he sees the foibles and defects in Mazarin, he is incapable of seeing the larger features of his administration. This is true also of Richelieu. It is depressing to find him moaning over Cinq-Mars and de Thou, and writing: "Le cardinal de Richelieu n'en avait que cinquante-sept, et n'a vécu que trente ans plus qu'il n'était besoin pour le bien de la France, et même de toute l'Europe" (p. 209). His hatred of Mazarin amounted to a passion. One good result of this bitterness there was, however. His fierce partizan spirit, united with his literary instincts, made him take a keen interest in the pamphlet literature of the epoch; and the record he has preserved of these fugitive *pièces* must be valuable to the bibliographer, the student of literature and the historian (cf. pp. 26, 44-45, 56, 59, 93, 120-121, 139, 164, 171-172, 182, 298). It is needless to remark that higher forms of literature find abundant allusion in his letters: the book-shops upon the Pont-Neuf; the sale of private libraries; the formation of Mazarin's great library (the only thing which concerned the Cardinal of

which he was envious); press censorship; the Index; new books; notable translations; the appearance of editions so precious to-day as to be embalmed in Brunet and Graesse.

One gets vivid impressions in reading these letters. How different the middle years of the seventeenth century from those of the sixteenth! Patin records under November 23, 1653: "Le comte d'Alais, par ci-devant gouverneur de Provence, est ici mort le 13 de novembre. Il est le dernier de la race des Valois." And four years later he writes: "Voilà la race éteinte des Châtillons par cinq chefs depuis 1572, lors que l'amiral de Châtillon fut tué cruellement et proditoirement avec plusieurs autres le 24 août, fête de St.-Barthélemy." The Age of Louis XIV. is just beginning. Already the court life, with its pompous etiquette borrowed from Spain, has become "une superbe servitude toute pleine de calamités, de travail et de misères; la cour a fait le bonheur d'un petit nombre d'hommes alors qu'elle en a perdu un grand nombre" (p. 264).

The editor's preface, which is brief, is biographical and bibliographical. The last complete edition of Patin's letters was in 1846. M. Brette says it was imperfect (p. x). It is to be regretted, though, that he did not borrow a hint from that edition and add the wealth of historical and literary notes which that included. M. Champion's introduction, excellent as it is, hardly atones for the omission.

JAMES WESTFALL THOMPSON.

*Types of Naval Officers drawn from the History of the British Navy; with some Account of the Conditions of Naval Warfare at the Beginning of the Eighteenth Century and of Subsequent Development during the Sail Period.* By ALFRED T. MAHAN, LL.D., D.C.L. New Revised Edition. (Boston: Little, Brown and Co. 1901. Pp. xiv, 500.)

IN so far as Captain Mahan's new book can be regarded as a whole, it may be described as an essay in naval pathology. Four of the six biographical studies which it contains were originally contributed apparently as isolated papers to the *Atlantic Monthly*, and have now been republished with modifications and additions. Traces of their origin still appear; but an introduction characterized by all the depth and breadth of thought which we expect from Captain Mahan has bound them into a homogeneous series of illustrations of the main theme there expounded.

It is of the diseases which a navy is liable to develop that the introduction treats—and above all of the disease of formalism, that kind of superstitious reverence for the means, which tends to bring the end into oblivion. In the naval art it leads directly to strategical blindness, to tactical rigidity, and to the habit of relying on rules, till all power of initiative is atrophied and is replaced in action by a dread of responsibility that is barely to be distinguished from cowardice. From a season of lusty health, fertile of new and vigorous ideas, which is usually taken to

have begun about the middle of the seventeenth century, the British navy had been gradually sinking about the beginning of the eighteenth into one of these periods of disease. The line of battle which had been designed to give to a fleet tactical flexibility had become a fetish that cramped it like a "straight jacket." For fear of breaking some rule, commanders could no longer bring themselves to seize the advantage of their opponents' mistakes; the unexpected by which most great battles and great campaigns have been won was no longer in their armory; they hardly dared risk a ship for any drastic movement; decisive action became impossible and naval warfare was at a deadlock. In a detailed and lucid study of the campaigns of Mathews in 1744 and of Byng in 1756, Captain Mahan, with all his old mastery, brings vividly before us the morbid condition which the naval art had reached at its lowest ebb. So grave had the condition of the patient become that we are left with little doubt that an heroic operation was necessary and that, severe remedy as it was, Byng's execution was justified.

In following the author's diagnosis, as he traces the development of the disease, we cannot but regret that his studies of the art of war under sail, for which the world owes him so much, have never been carried back to its commencement in the sixteenth century. He shows us clearly the gravest aspect of the disease—how the line of battle in its morbid state of osseous rigidity prevented concentration on a part of the enemy's force, without which a decisive victory is impossible, and how this state of things gradually gave way under the healing influences of the great admirals that preceded Nelson. But in all this we feel a sense of incompleteness when we remember that in the earliest days of sailing tactics the leading and even the sole idea was to concentrate an overwhelming weight of attack upon the weak point of the enemy. It was to this end that the first feeble germ of the line was begotten, as we see it in the action of the English admirals against the Great Armada in 1588 and in the early fighting instructions of Stuart times. This idea of ships following their squadron leaders in succession and concentrating their attack on the weathermost ship or ships of the enemy is clearly dominant as late as 1625, and we cannot but feel that the study of the reappearance of the concentrative idea is incomplete without some reference to its disappearance at a stage in the history of tactics that immediately preceded that of the true line of battle. The actual origin of the line of battle still remains in obscurity; but from scattered hints that survive it may have been devised as a defensive formation against the English method of attack—that is to say, its chief value in the eyes of its originators may have been that it provided a complete answer to the early English system of concentration on the weathermost ships of a "line abreast" or a "squadronal" formation. If this was so, then the formalism which overcame the line of battle should perhaps be regarded not so much as a disease, but as the logical development of its inherent defensive idea, which was necessary and inevitable before a new step forward could be taken. At the same time the exaggerated sensitiveness which admirals of Mathews's

and Byng's type exhibited for preserving their lines would appear more excusable. It is of course possible that further research will show that this was not the actual path of development, but none the less it is a loss that an eye so clear and far-sighted as Captain Mahan's has been hitherto debarred from contemplating the whole field from this more distant point of view.

Having prepared the way by placing us in possession of the evil which had to be remedied, the author presents his six biographies as illustrations of the various kinds of medicines which are necessary to restore health to a body so diseased. Each officer dealt with is taken as the type of a quality that was lacking, and each is made to take his place in the great healing process which eventually gave Nelson his invincible weapon. Nelson himself, as the man who used the perfected organism and had but little to do with its growth, is omitted. Nor does Hood find a place, though it is clear that Captain Mahan considers that it was only lack of opportunity that prevented his occupying a niche beside Nelson's own. Hawke, who is taken as the type of the "spirit"—the determination to fight and crush—which had been starved away, is given a higher place than he has ever been honored with before by an authoritative writer and it must be said Captain Mahan fairly justifies his judgment. Rodney, who is usually regarded as the father of the later tactics, is given less credit than ever in that direction, but receives new rank as the type of "form," by which is meant the discipline and coherence, the self-respect and dignity of the service.

The remaining four biographies, which were those not originally written for the present work, fit less nicely into the scheme. There is a certain awkwardness in choosing Howe as the type of a tactician and Jervis as that of a disciplinarian and strategist. Their qualities overlap too much nor is there any obvious relation between discipline and strategy. Again, it seems forcing matters to take Pellew as the type of a partizan officer when Dundonald exists. Still this study and that of Saumarez have a peculiar interest as being less familiar and showing us the process of development from the inside as it were, and further as emphasizing the important influence of minor officers on the general advance.

It is perhaps also due to the fact that some of the biographies were written originally for a different purpose that we notice here and there lapses from the high level of style which the author maintained in his earlier work. There are descriptive passages where the color is too glaring for the dignity of history. The use of inversions has become excessive and results sometimes in obscurity. In some places expressions occur which as yet only pass current where composition is necessarily hurried. "Howe's arrival antedated the signature of the Declaration of Independence by less than a week," is a phrase hardly sanctioned by good authority, either in America or England, and the same must be said of the use of the word "illustrate" in the sense of to "make illustrious." But if in a work so excellent and full of thought we note these blemishes,

it is only because where a man sits so distinctly at the head of a branch of literature as does Captain Mahan, his disciples cannot endure to see him slip for a moment into a lower position than that in which they delight to honor him. In any case, it may be safely said that nothing so valuable has come from his pen since the publication of his first three volumes on the *Influence of Sea Power*, nor anything of more living and practical suggestion, both for those who have to provide and for those who have to handle a great navy.

JULIAN S. CORBETT.

*William Pitt, Earl of Chatham, and the Growth and Division of the British Empire. 1708-1778.* By WALFORD DAVIS GREEN, M.P. [The Heroes of the Nation Series.] (New York and London: G. P. Putnam's Sons. 1901. Pp. xiii, 391.)

THE author of a book intended to form one of a popular series is faced by the difficulty of steering between a too scholarly presentation of the subject on the one hand, and a too elementary recital on the other. Mr. Green cannot be said to have been always successful in avoiding either danger. The many incidental allusions, especially to the lesser personages in politics, and the enumeration of Cabinet changes demand a wide and fairly exhaustive knowledge of English history to make them intelligible; and a very considerable knowledge of European affairs is also taken for granted in treating of the continental wars and intrigues. On the other hand, the story of the conquest of India and of Canada has been so often told that it seems unnecessary to go into the detail given, especially as nothing of note is added. Undoubtedly the task undertaken by Mr. Green is stupendous, as the aim of the series is to present a picture of the national conditions surrounding the hero in his career, and the national conditions surrounding Pitt from 1735 to 1788 involve a history of the whole civilized world. It can therefore hardly be a matter of surprise that the story fails to leave a clear impress on the mind and lacks force and continuity.

Mr. Green has availed himself of the newer historical sources. The publication of the Historical Manuscripts Commission have been freely drawn upon, and Mr. Green has also consulted the Newcastle Papers among the Additional Manuscripts in the British Museum. He acknowledges his indebtedness to the late Professor Tyler for new light on the American Revolution, and German and French writers have not been ignored in regard to the Seven Years' War. The quotation of authorities in foot-notes is commendable, but some exception might be taken to the scantiness of the index.

The value of Mr. Green's book lies in his sympathetic study of the character of the Great Commoner, and in his presentation of the popular minister and great statesman as a member of a most undemocratic and corrupt House of Commons; without the arts of the politician and without any loyal body of followers in Parliament, dominating that body by the force of his intellect and of his enthusiasm, and supported and kept

in power by the people of the country at large, though these people had no way of making themselves felt in the actual election of their so-called representatives. Mr. Green makes Pitt the embodiment of the spirit of England in the eighteenth century, of the England that arose from its humble place among the old-world powers, and gained for itself a world-wide empire, held together by the unquestioned supremacy of the sea—the England that then divided, showing the true English spirit in the American colonies which were forced to a separation by the unwisdom and obstinacy of King and ministers, while the maker of the empire stood by helpless except to utter warnings which went unheeded and prophecies too soon to be fulfilled.

The European wars of the eighteenth century, on the part of all the contestants, are set forth as absolutely non-moral. There was no sufficient cause to justify either the War of the Austrian Succession, the Spanish War, or the Seven Years' War; and Pitt sought for no such cause, indeed appeared to feel the need of none. It was enough for him that through these wars England could establish her empire and be assured of her place among the nations. He was always ready to take the offensive, to strike the first blow, and found his justification in the success of his policy. Yet even with this moral limitation, the figure of Pitt stands out like a colossus among the petty politicians of his time, politicians whom in some cases Mr. Green has perhaps somewhat belittled to enhance the greatness of his hero. Take the comparison of Pitt with Henry Fox. "Pitt looked to the nation for support, and sought great policies to serve; Fox devoted himself to politicians and thought of a policy as a lawyer thinks of his cause." Of Grenville and Pitt Mr. Green writes, "the pedantic and pedestrian mind of the one contrasted with the rapid imagination of the other; . . . it was a combat between the mechanical forces of talent and the irresistible energy of genius." Again in giving the reasons for the disagreement between Pitt and the Whig party, Mr. Green writes: "Such an one was Pitt, a man whose words, theatrical as they seemed at times, always represented the deepest realities to himself; whose love of liberty meant that he would have gone with a glad spirit to the scaffold, whose patriotism was a burning passion. This depth and ardour separated him from the Whigs who were the coldest of politicians, who when they imagined the constitution in danger were satisfied, if some man of good family uttered a gentlemanlike protest in the Commons."

Pitt's success was great. Considering the forces that opposed him and the impossibility of transmuting popularity into Parliamentary support, it was marvelous that this genius, distrusted by the King, and regarded with jealousy and dislike by Parliament, should have been able to make himself during some of the most critical years in their history the head of the English people. That his success was not greater, that he was not able to retain the high office which he had held with so much honor, is fully explained by Mr. Green. The great drawback to Pitt's character was his inability to get on with men, an inability that arose partly

from haughtiness and an overweening opinion of his own power, partly from suspiciousness, "the trick of suspicion usually the characteristic of small minds," and from contempt for the pettiness so often shown by his fellow-politicians. Because of these characteristics he stood apart and aloof while events were preparing for the great tragedy of the empire—the separation of the American colonies, which he foresaw and of which he so passionately warned the nation. The portraits with which the book is illustrated are well reproduced and serve to give substance to some of the shadowy sketches of Pitt's contemporaries with which the book abounds.

A. G. PORRITT.

*The Military Life of Field-Marshal George First Marquess Townshend, 1724-1807.* By Lt. Colonel C. V. F. TOWNSHEND, C.B. (London: John Murray. 1901. Pp. vii, 340.)

THIS is a very wearisome and futile volume; that it is so will perhaps be sufficiently explained by saying that it is in effect a family vindication of an unimportant ancestor, prepared by the present heir to the noble house of Townshend at the request of his grandfather. But family vindications, though always suspicious, are sometimes of much interest and value; it is quite conceivable that the military history of Great Britain in the later eighteenth century might have been illustrated in a valuable manner from the standpoint of the unattractive career of the first Marquess Townshend. It is necessary to point out clearly that this has not happened, and that the present volume is not only a failure as a vindication but is practically useless for any other purpose. It is not clear why the military career of George Townshend should have been chosen as the field of this vindication, seeing that he played a greater part in the political world and that his political fame is even more in need of rescue. However that may be, the fact remains that practically nothing is here added to our knowledge that is of importance or even interest; the material afforded by the papers of George Townshend is apparently of little value and his biographer has had no conception of how to make his work of any general interest. The claim made in the Preface that "The part of the work which describes the expedition to Quebec will be found to give many military details which up to now have been wanting in all histories of that memorable epoch" is entirely unwarranted, no new fact whatever of any importance being added to the standard accounts. "It will be seen," he adds, "that the unexpected and surprising manner in which Quebec was taken was the plan of the Brigadiers and not of Wolfe"; the uninformed reader would hardly expect to find that the facts here brought forward have long been known, that they are known on the testimony of Wolfe himself (Letter to the Earl of Holderness, Sept. 9, 1759. Here reprinted in full), and that they are embodied in the chief narratives, such as those of Parkman and Kingsford.

It is of course not to be expected that amateur and gentlemanly work (or play) of this kind should be in accord with the prejudices of modern



historical criticism ; but the degree of departure from these canons that we find here is at times startling. The book is written apparently almost wholly from the papers of the hero, but we are not given any description of this material or any exact references to it, and might infer that the writer was wholly unaware that the archives of his own family had been described in the Appendix to the eleventh *Report of the Historical Manuscripts Commission* (Part IV., 1887. See "Letters and Papers relating to the Siege of Quebec," pp. 306-328). He complains that he has been unable to find Wolfe's general orders, though he had seen them earlier in the collection and in fact they are catalogued in the *Report of the Historical Manuscripts Commission*. That he is apparently wholly unaware that these orders are printed entire in the *Collections* of the Literary and Historical Society of Quebec (Fourth Series, No. 2, 1875) would justify us in concluding that he is ignorant of, or has not consulted, this most important body of material for the event to which he gives half of his volume and in regard to which he imagines he is contributing to history. He indeed asserts, "I write this account of the expedition to Quebec entirely from the Marquess' Journal"; this Journal is used in the most confusing manner, under the date-headings of the original but for the most part in the biographer's own language. Letters are inserted without dates or references; the usual liberties in the way of modernizing are taken with quotations, in regard to which we are lucky if we get any more explicit information than "from a French account." The narrative is disjointed, and we have the impression that the author takes almost as little interest in his work as he leaves with his reader.

The subject of this volume, "Field-Marshal George First Marquess Townshend," was born in 1724. Family interest gave him, the heir to the title (which in 1787 he was to advance from Viscount to Marquess), an easy access to military posts, and he served at an early age in the later years of the War of the Austrian Succession; even the family biographer is unable to recount any exploits and the hero's name indeed rarely occurs in the hundred pages that are devoted to these campaigns in Germany and the Netherlands. We are given much detail of the battles of Dettingen, Fontenoy, Culloden and Laffeldt, which may have interest for the military historian; the general student will reflect regretfully on the ways in which these campaigns might have been made to illustrate at least the military manners of the time. On the coming of peace Townshend entered the House of Commons, and in 1757 acquired some prominence as the reputed author of a Militia Bill; he seems also to have acquired special note—and, we should judge, also unpopularity—by his skill in caricature, which Walpole tells us (*Memoirs of the Reign of Geo. III.*, I. 18) he was the first to apply to politics. In 1759 he was appointed one of Wolfe's three brigadier-generals for the expedition to Quebec. This was against Wolfe's wish, who seems to have personally disliked him, and who was probably conscious that Townshend represented the professional and class jealousies that were assailing him. Through the death of Wolfe and the severe wound of Monckton, Townshend was

put in command of the force investing Quebec after the victory on the Heights of Abraham and received the surrender of the town. He was later thanked by the House of Commons for these services. His only other important appearance in his long remaining life (he died in 1807) was his term as Lord Lieutenant of Ireland 1767-1772; this lies outside of the range of this volume, and the author leaves it with the assertion that "he displayed the same genius as an administrator that he had shown as a general" (322)—an assertion that may be compared with Walpole's severe censures (III. 79; IV. 231), and with Lecky's statement that he was "entirely destitute of tact and judgment" (IV. 434).

The expedition to Quebec was the most notable incident in Townshend's military life, and to it his biographer devotes one-half of his volume. It is here also that the book aims at vindication. For the prominence into which fate had thrust Wolfe's lieutenant was unfortunate for him; in the words of Lecky (IV. 402), his conduct at this time "had not raised his fame, for he was accused of having persistently thwarted Wolfe during his lifetime and of having endeavoured after his death to rob him by a very invidious silence of the honor of the capture of Quebec." The matter is now of small moment, and the present effort in Townshend's defense might be left simply with the remark that it is very ineffectual, but for the fact that like the original effort it is made at Wolfe's expense. Throughout the narrative there is steady disparagement of Wolfe; his whole plan of operations before Quebec is attacked, his early failures are emphasized; not only is he denied all credit for the final plan, but an effort is made to show that victory was not secure at his death and was made so only by the merits of Townshend. And all this purely on Townshend's assertions.

The main point insisted on by our author is that the plan by which Quebec was taken was not Wolfe's, but that of the brigadiers. I have pointed out above that in a general way this is correct, and so reported by Wolfe himself; if there were space I should like to show that Wolfe was in all probability too careless of his own reputation, that he had earlier fully considered this general change of plan, *i. e.*, transferring the attack above the town, and that he had concluded the enterprise to be then too hazardous. The difficulties and great risks of attack above are clearly pointed out by him in a letter of September 2 (*Gentleman's Magazine*, October, 1759); that he did not exaggerate these, that he was perfectly right in considering an attack from this side almost impracticable and not to be attempted till all expedients below the town had been exhausted, will be clear to any one who reads carefully the narrative of the final movement, and perceives how much its success was owing to a number of fortunate accidents, skilfully or luckily turned to account, and to the mistakes and want of unison of the French. All that could be claimed for the brigadiers was their general suggestion; the exact form and the execution of the attack is entirely Wolfe's. Our author is not content to have Townshend share in the general credit of the brigadiers, but would have us believe that the plan originated with Townshend.

For this idea he produces absolutely no evidence, simply repeating three times an unsupported statement to this effect by Warburton in his *Conquest of Canada*; how much more likely it is that Townshend (as was charged at the time) had really opposed the enterprise is shown by the most unheroic letter which he writes to his wife while the preparations for it were going on (p. 210). The vindicator of the military reputation of George Townshend could hardly have done him a worse turn than the printing of this letter side by side with that nobly despondent one written by Wolfe four days before his death.

VICTOR COFFIN.

*Mirabeau et la Provence.* Première partie, du 14 Mai 1770 au 5 Mai 1789. Par GEORGES GUIBAL. Deuxième édition. (Paris: Albert Fontemoing. 1901. Pp. x, 430.)

IN this second edition of the first volume on *Mirabeau et la Provence* published in 1887, Professor Guibal has really produced a new work. The size of the page, with the addition of one hundred and twenty pages, increases the contents of the volume more than a third. Although more or less important changes in the text are met with throughout the work, the difference between the first and second edition is chiefly due to the much fuller treatment in the second of the life of Mirabeau previous to 1789. To this subject, the first edition devoted one hundred and three pages; the second devotes two hundred and thirty-two. The arrangement of the volume also has been somewhat changed.

From the point of view of historical method, the volume leaves little to be desired. The sources have been practically exhausted; the facts have been carefully established and the evidence exactly given for every statement; the facts have been combined into a clear and detailed whole, and presented in an unusually objective and impartial narrative. Here is a bit of work finally done; work that may safely be used in the construction of a life of Mirabeau.

For the periods of Mirabeau's life of which it treats, Professor Guibal's book will be more helpful to the investigator than the works of Loménie and Stern. Stern did not make use of the manuscript sources to be found in Provence, while Loménie is lacking in the exact citation of evidence. This defect in Loménie's method lessens the usefulness of his otherwise very valuable work.

The value of Professor Guibal's volume is due not a little to the time and place of writing. Never again will conditions so favorable to the study of Mirabeau and Provence exist as those that prevailed at Aix during the half century that has just closed. Here was the theater of many of the most dramatic scenes in Mirabeau's life; not far away, on the bank of the Durance, is the old family château, inhabited at times by the Montigny, descendants of Mirabeau's adopted son; Manosque, Grasse, Marseille, and the Château d'If are all within the boundaries of Provence. What more natural than that a Mirabeau cult, creating conditions favorable to historical research, should spring up at Aix? His statue stands

in the inner court of the Hôtel de Ville; the beautiful promenade of the city bears his name; episodes in his life have been made the theme for papers read before the Academy of Aix, and his notorious lawsuit with his wife has been more than once the subject of an opening address before the association of local advocates.

Two men profited by these conditions, devoting long years to the study of Mirabeau's life in Provence. One of these men was Alexandre Mouttet, *juge de paix* at Aix, who died last summer at the age of eighty-seven; the other, Professor Guibal. Something of what Professor Guibal owed to Judge Mouttet may be learned from his foot-notes, but not all. Much that the latter knew about Mirabeau he had never committed to paper and this information could be had for the asking. He left behind him a volume in manuscript that will probably never be printed. The results of his work will be preserved, for the most part, only in the writings of other investigators.

Writing under these favorable conditions, Professor Guibal has produced a work that is destined to live and to be read as long as men are interested in the life of Mirabeau. Much of the material that was employed in the work is the private property of citizens of Provence. Some of it has already gone astray and more will probably suffer the same fate in the next generation unless purchased by the state. In the future, it is not improbable that historians may be forced to cite portions of this book as primary authority in place of the sources that have disappeared. This havoc that time plays with the records of the past has given more than one historian a permanent place among the great men in the world's hall of fame.

FRED MORROW FLING.

*Le Clergé de France pendant la Révolution (1789-1799)*. Par EDMOND BIRÉ. (Lyons: Emmanuel Vitte. 1901. Pp. 369.)

THIS book is a distinct disappointment. The title naturally leads one to expect an honest attempt to narrate the history of the clergy in France during the Revolution. It is, however, nothing but a collection of book-reviews of local histories and biographies dealing with the church and the clergy of the Revolution. Perhaps the book might better have been entitled "Notes on the Martyrology of the French Revolution." Though possessing but slight intrinsic value, this volume has its importance in the historiography of the Revolution, for it calls attention to a group of writers who are rendering a great service to the study of this important period, and who have received little attention in France and none in America. The Third Republic has witnessed a great revival of interest in the study of the Revolution, and above all of its developments in the provinces. The republican has studied the events of interest in his own town or department during the Revolution and especially during the Reign of Terror. Some of the authors have written in a spirit of fairness and impartiality, trusting that the facts themselves will prove the best arguments in favor of the republican cause, while others have spoken

as zealous advocates of the Revolutionary and republican ideals of liberty, equality and fraternity, and of the acts done in their name.

In republican France, however, there is, as a good republican remarked concerning the Associations Bill, liberty, equality and fraternity for everybody except the priests and for everything except the church. The persecuted Catholic church of France has never wanted for advocates as able and as zealous as the republican writers, and, what is more, the church historians have had centuries of experience in writing the story of periods of persecution and the lives of the martyrs. The latest period to become a field for these martyrological writers is the French Revolution, and while the republican historian has studied approvingly the deputies on mission and the members of the Great Committee of Public Safety, the Catholic historian has praised the unswerving loyalty of the non-juring priests and of the devout women who dared attend mass in some sacred place at the height of the Terror, at the risk of expiating their daring in the prisons or at the guillotine. Especially during the past decade have the ecclesiastical historians been busy turning out volume after volume dealing with the church and its persecution during the Revolution. Some of them like Abbé Delarc's *Église de Paris pendant la Révolution Française* are the valuable result of prolonged and scholarly researches, while others like Abbé Odon's *Carmélites de Compiègne Mortes pour la Foi sur l'Échafaud Révolutionnaire* are but simple narratives of martyrdom.

A dozen or more of these books have passed through the hands of M. Biré, and he has read them, making notes here and there and excerpts somewhere else with the apparent idea of collecting for his own edification the details that would most glorify the church and her martyr and discredit the persecuting revolutionist. The publication of this notebook on the crimes of the First Republic seems to have been suggested to M. Biré by the latest crime of the Third Republic, the passage of the Associations Bill. The only scientific history in the book is in the bits copied from such excellent works as those of Abbé Delarc and of M. Lallié who has written so ably upon the Revolution at Nantes. Of declamation concerning the glories of the church and the crimes of republicanism there is at least a sufficiency. The single merit of M. Biré's brochure is that it directs attention to the recent valuable contributions to the local history of the Revolution made by Catholic scholars. The author curiously enough has not mentioned one of the most scholarly and complete works of this sort—the *Histoire Religieuse du Département de l'Hérault pendant la Révolution*, by Canon Saurel of the Cathedral of Montpellier (4 vols., 1894–1896). Of recent writers favorable to the Revolution, M. Biré mentions no one except M. Aulard, and in his seventy pages based upon Abbé Delarc's *Église de Paris* there is not a single reference to *Le Mouvement Religieux à Paris pendant la Révolution (1789–1801)* of which the first volume had preceded Abbé Delarc's and had been published in the *Collection de Documents Relatifs à l'Histoire de Paris pendant la Révolution Française*, Publiée sous le

*Patronage du Conseil Municipal.* This book deserved at least a mention because of the eminence of its author, the late Dr. Robinet, the biographer of Danton. One last word—M. Biré's judgment on his own book, may be added. He says rightly on page 72: "Il n'est pas de bon livre d'histoire sans *Index*." He has left this book without an index.

GEORGE M. DUTCHER.

*Histoire Politique de la Révolution Française: Origines et Développement de la Démocratie et de la République* Par A. AULARD.  
(Paris: Armand Colin. 1901. Pp. xii, 805.)

M. AULARD'S book has a special claim upon attention because of his unique position among students of the great Revolution. For over fifteen years he has held a professorship with this as its theme in the faculty of letters of the University of Paris. He is the directing spirit of a society devoted to the study of the Revolution and the editor of the society's review. Since 1886 he has also edited several collections of documents, over twenty-five volumes in all.

His work is distinguished from that of most of his predecessors by a more scientific criticism of the sources. For example, he looks with suspicion upon the evidence contained in memoirs, because most of these were written during the Napoleonic period or the Restoration, when the memories of the writers must have become confused, and when they were, in part at least, preoccupied by the task of rehabilitating themselves in the eyes of posterity. The substance of his narrative is based upon strictly contemporaneous documents—debates, speeches, newspaper articles, proceedings, laws, many of which were acts rather than descriptions of acts. The inexhaustible patience with which he has investigated all this material has enabled him to trace the evolution of opinion and the aims which gave the impulse to the Revolutionary movements. The testimony of memoirs adds detail and color to facts, the main features of which have been otherwise determined.

The scope of the work is clearly stated in the title, limited as this is by the subtitle. The subtitle is a reminiscence of the articles that appeared in the *Révolution Française*, beginning in July, 1898, and which reappear with some changes and additions as chapters of the present work. For the period from August 10, 1792, to 1804, the scope of the work is broader and includes with the original theme a description of every important phase of the political life of France. But during the periods of the Constituent and the Legislative Assemblies the first plan seems to narrow the treatment. With the publication of this book it has become, for the first time, possible to read in brief and exact descriptions how the great Revolutionary mechanism was organized from the Convention and the Committee of Public Safety down to the local committees in the Paris sections or in distant communes, and how this mechanism was modified as circumstances commanded until during the Thermidorian reaction, the period of the Directory and of the Consulate, it gradually crumbled, again yielding to circumstances, and gave way to a military despotism.

The plan of the work—a study of the republic and democracy—seems to put the men of 1789, so generally praised in contrast to the men of 1793, in a curiously disadvantageous position. They appear not so much as reformers who extricated France from an intolerable situation as men who were unfaithful to the very Declaration of Rights which they issued. In a history of the republic they are the enemy who are more in mind than the old nobility, and who must be driven from control before a normal state of affairs can be brought about. The Montagnards, are, therefore, justified in advance. This result is not solely the consequence of the plan. Although the author says that all, the men of 1789 and the men of 1793, worked for the best under different circumstances, nevertheless he declares that if the epithet “renegade to the principles of 1789” is to be used, it belongs not to the men of 1793 who actually applied those principles, but to the men of 1789, “who, after proclaiming equality of rights, divided the nation into active and passive citizens and for the ancient privileged orders substituted a new privileged class, the *bourgeoisie*.”

Professor Aulard is not inclined to look upon the affirmation of the equality of men in the Declaration of Rights as a “glittering generality,” a noble dream; he treats it as a programme of reform to the furthest logical consequences of which its framers were pledged. He goes so far as to insist that this affirmation implied what is now known as social democracy, although he does not think such an implication occurred at the time to any leading revolutionist.

Occasionally Professor Aulard seems inclined to take less charitable views of the men of the “régime censitaire” than his documents would permit him. For example, he says (p. 63) that during the discussion of the property qualification for voters: “Une émeute parisienne (meurtre du boulanger François) fournit fort à propos des arguments à la bourgeoisie contre le peuple: le 21 octobre, la loi martiale fut votée au profit de l'ordre bourgeois qui s'annonçait.” Although the Constituant had such a measure under consideration, it was the frantic appeals of the “Representatives of the Commune,” in despair otherwise of preserving order so necessary if the great city was to be fed day by day, that led the Constituant to pass the law in haste. The motives indicated in this book do not appear to have actuated the Paris assembly. Even Loustallot, ardent revolutionist that he was, groaned out that the law was necessary. Professor Aulard's judgment in this case and in two or three others where the Constituant is concerned is surprising because between the parties that controlled France after the establishment of the republic he holds the balance with remarkable steadiness.

A single comment upon his treatment of the men commonly called the “Terrorists.” He does not draw a veil over their tyrannies, but he seems to feel that these were adopted, with substantially unmixed motives, as a means of national defense when France was like a besieged city and when summary proceedings were the sole and necessary law. It was, however, partly out of early tyrannies and injustices that the



necessity of later tyrannies arose. No foreigner at least will believe that such measures were needed to keep so great a multitude of Frenchmen as were swept into the drag-net of the Law of Suspects from betraying their country to the allies who were anxious to operate another partition of Poland with France as the spoil. Moreover, the "Terrorists" in a not unnatural way identified themselves with France, and their political enemies became traitors to France.

Although the greatest merit of this work lies in its bringing together an astonishing amount of information from trustworthy sources and describing the hitherto little known and imperfectly understood workings of the republican régime, it also contains descriptions of singular interest, appreciations of historic personages, of Danton, of Mme. Roland, of Robespierre—portraits drawn with a firm and skilful hand, which interpret their mental and moral evolution. In the course of the volume Professor Aulard destroys various old and honored legends—that for example which pictures Thermidorianism as in any sense a reaction against the republic, another that exonerates the so-called "working members" of the Committee of Public Safety and particularly Carnot from responsibility for the wholesale proscriptions of the Terror, and still another that makes republicanism an early development of the Revolutionary movement. Americans will be pleased to find the measure of the influence exerted by the young republics of the Confederation, later by the new United States, more exactly explained, with adequate documentary references, than in any previous work.

HENRY E. BOURNE.

*Boundaries of the United States and of the Several States and Territories.* By HENRY GANNETT. Second edition. (Washington: Government Printing Office. 1900. Pp. 142.)

IN 1885 Mr. Gannett issued, as one of the early bulletins of the United States Geological Survey, a sketch of the *Boundaries of the United States and of the Several States and Territories*. The compilation, though inaccurate in some details, was nevertheless a useful one. There was apparently considerable demand for it, since it has been for some time out of print. More recently Mr. Gannett has issued a second edition as number 171 of the same series of bulletins. The principal feature of the reissue is the addition of historical diagrams, representing the successive stages through which the several states and territories have passed. Mr. Gannett first printed these diagrams in 1896 to illustrate an article in the *Journal of the American Geographical Society* entitled "A Graphic History of the United States." They contain a number of errors, most of which have been repeated in a series of maps, illustrating a monograph on "The Territorial Expansion of the United States," published in the *Monthly Summary of Commerce and Finance* for September last and also issued separately. As these errors are likely still further to mislead, in view both of the high authority popularly attached to government publications and of the fact that they usually escape formal criticism, it seems worth while to call attention to them.



The Indiana diagram erroneously represents a broad strip of land running the entire length of the eastern boundary of the present state, as added to the territory in 1803. No such parcel ever existed. The first division of the Northwest territory, as a result of which Indiana territory was formed, was made by a line, which followed the Greenville line from the mouth of the Kentucky River to Fort Recovery, and from that point extended due north to the international boundary. The addition to Indiana territory made under the Ohio act, which was passed in 1802 instead of 1803, was a triangle, formed by the intersection of the western boundary of Ohio with the Greenville line, and resting upon the Ohio River as its base. This triangle may be easily traced upon any land office map, by noticing that the Congressional townships in this tract do not match those in the remainder of the state.

Mr. Gannett has mistaken the extent of the original territory of Michigan. Its western boundary was a line drawn through the middle of Lake Michigan from its southern to its northern extremity and thence north to the international boundary. Michigan territory in its original form thus consisted of the lower peninsula and a small tract north of the Lakes and east of the meridian of the Straits of Mackinac. This latter tract is usually, if not invariably, omitted in the contemporary maps. Mr. Gannett has erroneously extended the northern peninsula westward to the meridian of the present western boundary of the state of Indiana. By so doing, he has given Michigan territory a form which it never assumed and has included in it a tract which, after the organization of Illinois territory in 1809, should have been represented as a detached part of the territory of Indiana.

The contemporary maps of Kansas territory follow the provisions of the Kansas Territorial Act in running the southern boundary west on the 37th parallel as far as the territory of New Mexico and thence north and west on that boundary to the Rocky Mountains. Mr. Gannett has followed some recent maps in carrying the southern boundary west on the parallel only as far as the 100th meridian, thence north to the Arkansas River and west on that river to its source. This line is based upon an erroneous impression that the tract south of the Arkansas was excluded from Kansas territory by reason of the non-extinction of the Indian title. The Territorial Act provided: "That nothing in this act contained shall be construed . . . to include any territory, which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any state or territory." There were guarantees against such inclusion in some treaties creating reservations for emigrant tribes, but there were no such guarantees in any treaties with the native tribes occupying western Kansas. Moreover, except in the unratified treaty of Fort Laramie, the Arkansas River had not been recognized as an Indian boundary and, even if it had been, there is as much reason for excluding from Kansas territory the country of the Arapahos and Cheyennes north of the river as for excluding that claimed by the Comanches and Kiowas south of it, since the

title of neither had been extinguished. It follows, therefore, that Mr. Gannett's representation of Kansas territory is incorrect and that the tract marked as an addition to the state in 1861 was not an addition but a part of the original territory.

Mr. Gannett's most serious difficulties occur in connection with Dakota and the adjoining territories. Here his errors of omission in the text become errors of commission in the diagrams. He has overlooked the last section of the first Dakota Act, by which Nebraska territory was extended westward to the 110th meridian and has thus omitted one of the forms which that territory assumed. He has also overlooked the last section of the Montana Act, by which a tract of land, roughly corresponding to the present state of Wyoming, was transferred from Idaho to Dakota, and has thus omitted to represent the former territory in its second and the latter in its third stage of development. By this transfer Dakota territory acquired, except for a slight change in the Nebraska boundary, the area of the present states of North and South Dakota and Wyoming, lacking a strip on the west bounded by the 110th and 111th meridians, the 41st parallel and the crest of the Rocky Mountains, while Idaho territory was reduced to the limits of the present state plus as much of the strip just defined as lay between the 42d parallel and the mountains.

By overlooking this transfer to Dakota territory, Mr. Gannett has also missed the point of an interesting complication that arose in the adjustment of the boundary between the territories of Idaho and Montana. The maps of this period represent the Rocky Mountains as cutting the 111th meridian below the parallel of  $44^{\circ} 30'$  and as crossing this parallel at some distance west of the meridian, thus enclosing a tongue of land between the mountains, the parallel on the north and the meridian on the east, which by the terms of the transfer and upon contemporary maps formed a part of Dakota territory. The mountains in their true location cut the meridian at or a little above this parallel and so do not form the supposed tract. It follows that the definition of the boundary of the transfer from Idaho territory to Dakota territory, contained in the Montana Act, is impossible of application at this point and that the supposed tract, not having any existence, disappears from the modern map representing the boundaries of this period. When Wyoming territory was created in 1868, with the 111th meridian as its western boundary, this supposed tract, west of the meridian, was forgotten, but afterwards, in 1873, Congress passed a special act attaching "that portion of Dakota territory, west of the 111th meridian, which remains detached and distant from Dakota proper some two hundred miles" to the adjoining territory of Montana. As no such tract existed, this act could have no effect. Mr. Gannett says that the tract did not exist but fails to see why it did not exist and why it was supposed to exist.

Two other mistakes may be mentioned in closing. In representing the second stage of the territory of Arkansas, Mr. Gannett has drawn the western boundary much too far toward the west. It should begin but

forty miles west of the southwest corner of Missouri. Mr. Gannett represents Iowa as admitted in 1845, with the meridian of  $17^{\circ} 30'$  west from Washington as its western and a parallel passing through the mouth of the Mankato River as its northern boundary. The act of 1845 was conditioned upon its acceptance by the people of the territory and, as this was refused, it never took effect. The state was not admitted until 1846, when it entered the Union with its present boundaries. Attention has been chiefly directed to the diagrams, since they appeal to the eye and on that account are likely to make the stronger impression. Except for the errors noted, the text is in the main accurate.

FRANK HEYWOOD HODDER.

*The True Thomas Jefferson.* By WILLIAM ELLEROY CURTIS.  
(Philadelphia: J. B. Lippincott Co. 1901. Pp. 395.)

THE present volume, being the fourth in the Lippincott series of the "true" lives of famous Americans, is the most ambitious yet published, exceeding by almost one-third the bulk of any of the earlier volumes. Were Mr. Curtis not already well known, it would be easy to conclude from a very cursory examination of his book that he is not a literary man, for his work partakes far more of the scrap-book quality than of the biography, being put together, rather than written, without the slightest apparent sequence, the result bearing a closer resemblance to a crazy-work quilt than to any piece of intentional weaving. Equally evident is it that the author has no general knowledge of history to qualify him for such work, for the book teems with errors and misstatements, some of them being of the most extraordinary nature. What can be said, for instance, of assertions such as that "William and Mary is the oldest college in America, although Harvard graduated the first class" (p. 65), when the veriest tyro should know that Harvard had fifty years start of its southern prototype; that Jefferson was "not in favour of emancipation unless the slaves could be *extirpated*" (p. 83), which is Mr. Curtis's version of Jefferson's wish to see the negroes freed and *colonized*; that Jefferson's slaves concealed "their master's plate when the British visited Monticello in 1814" (p. 95); that "Governor Fauquier introduced French novels, classical music, card playing, and many new vices into the colony" (p. 69); that the election of Adams to the presidency was due directly to the influence of Washington (pp. 273-275); or that the classical names invented by Jefferson, in the ordinance of 1784, for the northwestern states were "for the states to be carved out of the Louisiana territory" (p. 184)? Such perversions are bad enough, but Mr. Curtis again and again, with apparent deliberation, exactly reverses records so clear that it seems impossible he can have read the very documents from which he quotes. Thus, in the case of the criminal law of Virginia in the revision of 1779, the only means by which we have knowledge of Jefferson's share is an apology he drew up concerning the principle of *lex talionis* which it embodied, yet from this apology Mr. Curtis is led to state that the principle of the *lex talionis* was abandoned

by the revisers at Jefferson's "importunities, and no sheriff has ever since been compelled to pry out an eye or bite off a nose." At one place (p. 83) the author would have us believe that Jefferson inserted in the Declaration of Independence a clause favoring freedom to the slaves, which at another place (p. 135) becomes "a paragraph denouncing slavery," the reference in each case being, of course, to the paragraph in opposition to the slave trade. So in explanation of the Jefferson letter to Mazzei, written in 1796, it is stated that Mazzei was at that time "in Europe attempting to negotiate a loan for the United States with a petty prince of Hungary." Such are a few of many examples of the author's ignorance of general history; and as a result the whole book is written on the slap-dash, hearsay order, save where the scissors and the glue pot made writing unnecessary.

At the same time, it would be unfair to Mr. Curtis, full as his book is of ignorance and error, not to acknowledge that he has made an interesting volume, and one that can be read with very distinct pleasure. There can be no question that the author has industriously and honestly toiled, and he has brought together a great mass of material out of which a most delightful volume might have been written, and this but makes the regret the keener that Mr. Curtis had not the mental equipment and education to use it properly.

PAUL LEICESTER FORD.

*Writings of James Madison*, comprising his Public Papers and his Private Correspondence, including numerous Letters and Documents now for the first time printed. Edited by GAILLARD HUNT. Vol. I., 1769-1783; Vol. II., 1783-1787. (New York and London: G. P. Putnam's Sons. 1900, 1901. Pp. xl, 484; xvii, 412.)

IN 1837 the Federal government bought of Mrs. Madison a set of manuscripts, in duplicate, comprising "the Debates of the Convention which framed the Constitution of the United States, prepared by Mr. Madison, together with the Debates taken by him in the Congress of the Confederation in 1782, 1783, and 1787, and selections made by him, and prepared under his eye, from his letters, narrating the proceedings of that body during the periods of his service in it." These were printed in 1840 as the *Papers of James Madison*, edited by Henry D. Gilpin. In 1848 the government purchased from Mrs. Madison most of the remaining manuscripts of her husband. Four volumes, made up chiefly from the additional manuscripts thus purchased, were printed in 1865 under the title *Letters and other Writings of James Madison*. The two printed collections supplement each other, and students interested in Madison's career have always been obliged, with considerable inconvenience, to turn perpetually from one to the other. Accordingly, we must all be deeply grateful to Mr. Hunt for undertaking the publication of a series in which Madison's letters and writings are combined in a single chronological order. The volumes are handsomely made, in style uni-

form with the similar collections of "Writings of the Fathers" brought out by the same firm of publishers.

The two volumes now published comprise somewhat more than two hundred and fifty letters (or parts of letters), seventeen documents, and the record of debates in the Congress of the Confederation from November 4, 1782, to June 21, 1783. For the period last mentioned, the debates are made the main text, while the letters or parts of letters that illustrate or supplement them are placed in foot-notes below. This is on the whole the rational arrangement, the continuous record being the important thing. Presumably the same course will be followed in the case of Madison's invaluable notes of the debates in the Convention of 1787, which we understand will fill Volumes III. and IV. What will be done with the debates in Congress from February 19 to April 25, 1787, does not appear; they are not printed in the second volume before us, though it extends to the latter date.

The present volumes contain exceedingly little that is new. That it should be so is almost inevitable. The title, it will be observed, mentions "numerous letters and documents now for the first time printed"; and the preface alludes to "sources widely scattered and embracing various public, private and official depositories." But these phrases wait their justification in later volumes. Of 262 letters printed in these two volumes, 126 have already appeared in Gilpin, 106 in the *Letters and other Writings*, one in Bancroft's *Constitution*, and perhaps one or two others elsewhere. The new letters are nearly all quite insignificant notes to Pendleton or Randolph, or to Madison's father and brother, not more important than the forty letters which, on the other hand, are printed in Gilpin or the *Writings* but are omitted from the present series. Two letters to Henry Lee (II. 284, 286) are exceptions, well worth printing as indicative of character; so is another, to Jefferson (II. 246), relating chiefly to points of natural history. As to source, only two letters seem to have been found outside the walls of the Department of State, of which the editor is an official. The texts of about three-fifths are derived from the Madison MSS., of a few from the Washington MSS., of a few more from the printed *Writings*, and of about eighty from Gilpin.

As to this last point, Mr. Hunt, who is evidently scrupulous as to textual exactness, shows himself abundantly aware that texts should be derived from the original manuscript, and not from anyone's print; but he has been hampered by circumstances so extraordinary as to be quite worth mentioning. It may not be generally known, though it is quite in the line of the government's usual experience in buying manuscripts, that, in spite of the act of Congress mentioned in the first sentence above and of Mrs. Madison's conveyance, none of the letters printed by Gilpin, excepting the block from November 5, 1782, to the end of 1783, are possessed by the State Department either in original or in duplicate. Moreover, the actual originals of nearly all these missing letters were offered at auction, in the face of a long-suffering government, in the Mc-

Guire sale of 1892. They were bought by a certain historical society, which, it may be understood, has refused Mr. Hunt permission to collate his texts with the originals. Mr. Hunt alludes to none of these facts. But anyone who has compared the State Department's *Calendar of the Correspondence of James Madison* with Gilpin, with the catalogue of the McGuire sale, and with this society's report of 1894, will understand his mild and colorless remark (p. xxxv) that "The originals of a few [*sic*] of the letters printed in *The Madison Papers* have been withheld from the editor, and he has been obliged to reproduce them as they were printed, in the first volume of" [that] "edition, indicating their source as he has that of every other paper appearing in these volumes." About eighty are, as we have intimated, so designated.

Among the documents printed (meaning documents other than letters) are several new pieces, of great interest, chiefly fruits of Madison's active service as a member of Congress. It is gratifying to see (II. 391) that the large portions of his introduction to the debates of 1787 which were lost when the Department of State published its edition a few years ago, have since been recovered. The whole is now given. It is not easy to see why the Declaration of Rights and Constitution of Virginia have been included (I. 35-49); only six words of the former have ever been traced to Madison, and not one of the latter.

Mr. Hunt's texts appear to be good. "Moran Treaty at Fort Stanwix" (II. 76) should no doubt be "Indian Treaty"; "Carter Bratton" (II. 194) should be "Carter Braxton"; and the place of publication of Ubbo Emmius (II. 265) might easily have been corrected from "Sugd. Batavorum" to "Lugd. Batavorum." There is some want of scholarship in the foot-notes to Madison's Notes on Ancient and Modern Confederacies (II. 369-390). But in spite of a few small blemishes, Mr. Hunt has given us a good edition, with good notes, which on many grounds besides convenience is entitled to supplant its two mutually complementary predecessors. The first volume contains as a frontispiece a very interesting portrait, copied from the life-sized marble medallion bust by Ceracchi (1792) now owned by the Department of State.

The main contents of the volumes having been so long before the public, it has seemed to the reviewer inappropriate to dwell upon their character as materials for the biography of Madison or for the history of the United States. But he cannot forbear mentioning a curious little discovery he made while mousing among the letters of Vol. I.: namely, that of all the letters written by Madison while attending Congress in Philadelphia, 137 in all, there are only 26 that were not written on Tuesday. The trait is so characteristic as to be amusing. The methodical little man arranged with himself never to miss a Virginia mail.

J. FRANKLIN JAMESON.

*The Roman Theocracy and the Republic, 1846-1849.* By R. M. JOHNSTON. (New York: The Macmillan Co. Pp. xi. 375.)

MR. JOHNSTON'S book seems to require two criticisms—a lower and a higher. On the lower plane, we can honestly commend it; on the higher, it leaves much to be desired. But perhaps we should state that by the "lower plane" we mean the painstaking statement of facts; and that by the "higher," we mean the viewing of facts in their proper perspective, the divination of their significance, the recognition of great men and great forces, the presentation of the narrative itself in memorable form. Of all this, Mr. Johnston appears to have no proper comprehension; and we feel at times that one event is to him as important as another, and that the personages whom he describes are all of the same mediocre size.

He begins his story with a backward glance at the rise of the papacy in the Roman Empire; then proceeds to trace very briefly the growth of the papacy down to modern times; until, with the accession of Pius IX. he reaches his main theme. Thenceforward, he describes in sufficient detail each phase of Pius's illusory liberalism, which inevitably swept the Curia into the hands of the extreme Papalini, while the national movement, to which Pius had given its greatest impetus, swept not less inevitably into the hands of the extreme Democrats. The last third of the story is devoted to the short-lived Republic and its struggle against the overwhelming odds massed against it by the French. Mr. Johnston reports these matters in orderly fashion, without enthusiasm, but with evident intention of being fair. He has not only read widely the literature of the subject, but he has digested and coördinated his reading.

But was it worth while to spend the time he must have spent on his book, unless he could lift the episode itself into its proper significance? The overthrow of Pio Nono's government, the stormy interval of the Republic, and the restoration of the old régime, would certainly be of no more consequence than one of the chronic revolutions in South America, were it not that in that Roman episode two political forces of world-wide range came into collision, and that at the end, the Roman Catholic Church set itself implacably against modern progress, declaring its temporal power, the corrupt offspring of medieval times, an essential part of the Church. After the Reformation, for nearly three hundred years, the Roman Church had enjoyed a comfortable, not very active existence, until the French Revolution shook it most rudely. But only under Pio Nono, and as a result of the events described by Mr. Johnston, was it brought face to face in Rome with modern ideals—constitutional government, personal liberty, unhampered commerce, general education, religious tolerance—and after scanning them closely it pronounced them all accursed.

For a historian to chronicle this encounter without perceiving that such tremendous issues were at stake, reveals an incurable defect, which



shows itself further when Mr. Johnston criticizes the actors in this drama. Mazzini, for instance, was by no means the mediocrity here portrayed, although he unquestionably had some of the traits which Mr. Johnston describes. Nor was Garibaldi a Lilliputian. Gioberti was a man of mark, Antonelli far abler than most British statesmen of his epoch. And on the whole, did Englishmen, bred by centuries of freedom to self-reliance and courage, ever make a more gallant defense than did Mazzini and his miscellaneous corps of legionaries, who had no tradition of victory behind them, at Rome in 1849? Mr. Johnston does not fail to see the ludicrous in much of their hasty legislation, and in their exuberance of enthusiasm; but here again, he fails in the most important of an historian's attributes—sympathy. Would an Italian, who should infer that the British are a neurotic race and incapable of self-government, because he witnessed the delirious orgies in which they indulged less than two years ago at the relief of Mafeking and Ladysmith—would such a critic carry weight? Much of the misinterpretation, which on Mr. Johnston's part is unintentional, springs from deficient sympathy. Unless you seek the spirit of the Italian Revolution, you will never write a true history of it. Mr. Johnston has certainly done the utmost that a literalist could do.

The book abounds in typographical errors, especially in the proper names, and in such mistakes constantly repeated, as "Giovane Italia." It is also marred by slovenly expressions and split infinitives, from which an American proof-reader would have saved a careless writer. The historical student will find a larger bibliography on this episode than has been hitherto printed in English.

WILLIAM ROSCOE THAYER.

*Political Nativism in New York State.* By LOUIS DOW SCISCO. [Columbia University Studies in History, Economics and Public Law, Vol. XIII., No. 2.] (New York: The Columbia University Press. 1901. Pp. 259.)

THIS interesting and important topic has received careful study from a competent investigator, but "leave to print" has led to the neglect of one of the chief duties of the historian—the sifting out from his material that which has no permanent interest. The book is weighted down with masses of details which have already lost their significance: there are long lists of minor and local officers in secret orders; names of candidates for a hundred different offices weary the attention; painfully precise returns in each election break the narrative at frequent intervals. A much stronger impression would have been made by far fewer statistics grouped in tables or presented graphically so that the changes in party strength might be seen at a glance. In many places the arrangement of material is mechanical, and the style is diffuse; indeed, with great advantage the study might have been shortened by a third. In a book of 250 pages, crammed with details, the omission of an index is unpardonable.



Mr. Scisco lays constant stress upon the distinction between a "movement" and a "party." About one-fifth of his space is devoted to the earlier manifestations of nativism, 1807-1843, in which it is interesting to recall that S. F. B. Morse was one of the most enthusiastic leaders. The rest of the book recounts the development of secret orders with nativist principles, and later, through the application of the secret society model to politics, the evolution of the nativist movement into a full-fledged political party, pursuing the ordinary objects by the ordinary methods. Much attention is given to detailing the growth of the legion of secret nativist orders in the period from 1843 to 1852, but too little care is taken in setting forth the particular conditions which at the close of that period occasioned the most noteworthy recrudescence of nativist activity in Know-Nothingism. The impression is given that political nativism practically came to an end in 1860; no attempt is made to trace the career or gauge the influence of the A. P. A.

The bitterly hostile factions into which both of the old parties were split made New York in the fifties an unusually favorable field for the springing up of a new party. The growth, coalitions, triumph and decline of the Know-Nothings are here presented as clearly as the tangled situation admits. The most interesting phase of the story is the relation between nativism and the slavery issue.

The spirit of this study is eminently fair. Narrowness and short-sightedness among the nativists are clearly pointed out; but certain creditable features, too often forgotten, are also brought to light: the early leaders were men of sincerity; "the Know-Nothing council in its best days was, in point of fairness and decency, a vast improvement over the party caucus of the time"; the nominees for public office almost invariably commanded respect both for character and experience; "from first to last, with all its errors and weaknesses, the record made by the secret system in New York State is not unfavorable to it. It did not encourage lawlessness, corrupt the franchise, or stifle public opinion, and all of these offenses were chargeable against the open political organizations of the day."

His thorough-going study of these nativist movements lends especial interest to Mr. Scisco's discussion of two topics, viz., secrecy in politics (pp. 196-202), and an analysis of political nativism, (pp. 242-254). The real work of nativism was to force public opinion to pronounce upon a definition of "American"; its contribution to the evolution of American democratic ideals is the opinion that "social clannishness, ecclesiastical domination and race combinations in politics exist by sufferance, but they are emphatically non-American ideas to be reprobated on broad grounds of public policy."

GEORGE H. HAYNES.

*The Confederate States of America, 1861-1865. A Financial and Industrial History of the South during the Civil War.* By JOHN CHRISTOPHER SCHWAB. (New York: Charles Scribner's Sons. 1901. Pp. xii, 332.)

THIS volume appears as one of the "Yale Bicentennial" series of publications. The foundation for the work had been laid by Professor Schwab in his lecture courses on Southern conditions and in his contributions to the *Yale Review* and the *Political Science Quarterly* on various phases of the Confederate finances. Hence it is the most scholarly and comprehensive effort yet made to portray other than military and naval affairs of the seceding states. The book is additionally noteworthy in that it is a study made by a Northern man, with the evident purpose of scientific impartiality and accordingly not much of sectional bias is found within its pages. The investigator has gone into the difficult and scattered sources most elaborately. He has made a wide use of the newspaper files of many cities throughout the section. The examination into the laws of the several states has resulted in a collection of facts valuable for reference and comparison. Professor Schwab had access to the archives at Washington, gathered by capture at the fall of Richmond and by subsequent purchase from interested parties. For further research it were a wise and much desired arrangement that the collections now kept separately in the Pension Bureau division of the War Department and the records in the Treasury Department should be combined and a complete index prepared. The conclusion of the Rebellion Records series may make it possible that the government printer will turn his attention to this formidable array of convenient data pertaining to the Confederate Treasury.

The only possible criticisms that might be offered on the author's use of materials are a suggestion of a larger reference to the correspondence of Mr. Memminger, the Secretary of the Treasury, as interpretative of the policy of the administration, and a question as to the acceptance with full credence of such authorities as Jones's *Rebel War Clerk's Diary* and Pollard's volumes of the war.

The main title of the work, *The Confederate States of America*, is given a two-fold application, to the National government and to the constituent members of the Confederacy. A mass of details concerning the financial operations of the several states is presented, yet it is hardly established that the states had a marked influence on the conduct of the central government. Similarities of practice abound, but the national policy must stand on its independent record of merit or demerit. However, there is some indication of an exclusive use of historic sources pertaining to Richmond and a result therefrom of predicated certain conditions as universal. The subtitle, *A Financial and Industrial History of the South During the Civil War*, seems scarcely warranted in view of the very disproportionate treatment of those interests, the latter being discussed briefly in a chapter of seventeen pages. The author appropri-

ately begins with the financial legislation of the four successive years, describing the various ways of supplying the sinews of war. These consisted mainly of placing loans and issuing paper money. The output of notes steadily gained on the sale of bonds, the fifteen million loan of 1861 being tardily supplemented by the one hundred million loan of 1862, while the Treasury currency quickened its rate of emission from three to fifty million dollars a month, and the money-printing machine became the unfailing asset of the administration. The non-effectiveness of the produce loan with its badly ordered subscription of crops is carefully traced and all the manipulations of the foreign loan of 75,000,000 *francs* effected by Emile Erlanger are clearly unfolded. The comments of Professor Schwab on the financial policy are pertinent and the analogies to other money experiments are exceedingly instructive. His criticisms are not too severe of the false reasoning, of vagueness of official estimates and of the blind reliance on the efficacy of the funding scheme to relieve all redundancy of note issues. The chapters on "Legal Tender" and on "Prices" are models of economic presentation, yet the insertion of the discussion of military despotism is of questionable utility. Taxation has not been treated in direct connection with the main fiscal matters and more attention is given to the illusory levy of 1861 than to the large measures of 1863-1864. The rebates of tax in kind against property tax and of property tax against income and the unfair valuations are not sufficiently stressed. The persistence of the agricultural class in Congress in retaining these exemptions led mainly to the resignation of Secretary Memminger; and his successor, Trenholm, came urging the same programme of unimpaired taxation, then overwhelmingly too late. The author would have added to the completeness of his admirable study had he more at length, in a final view, set forth the negation of the various economic forces during the period of Southern history.

ERNEST ASHTON SMITH.

*General McClellan.* By General PETER S. MICHIE. [The Great Commanders Series.] (New York: D. Appleton and Co. 1901. Pp. ix, 489.)

No student of Civil War history can keep abreast of its unfoldings without reading Michie's *McClellan*.

By notable service in the eastern armies; by close study of military affairs; as the head of the West Point faculty; by his ability as a scholar; by his judicial temperament and power of analysis; he was well fitted to deal ably and impartially with the perplexing problems of McClellan's career. His is a condensed volume, the work of years, and the limits of this review can scarcely exceed the scope of a table of contents.

No preceding history has so clearly shown the thorough preparation which McClellan's training gave for the work which confronted him. Ten days after the firing on Fort Sumter the state of Ohio had commissioned him a Major General commanding her militia. Without waiting to visit his office, or his home, he took up his duties, and his marvellous

organizing powers at once appeared. He entered West Virginia with an admirable plan of campaign, but here on the threshold of his career was developed that caution, born of excessive overestimate of the enemy's strength which followed him to the end of his military life. Though Rosecrans and Blenker did the only fighting, the successes were naturally attributed to McClellan, and, before he had been tested as a commander in battle, he was ordered to Washington where the triumphs of West Virginia shone brightly against the gloom of Bull Run. A great army grew up as if by magic under his energy, skill and power, and he soon won universal confidence, admiration and applause. He at once became prolific with plans of wide scope including the whole country, but not providing for early movement on his own part. His differences with General Scott are vividly set forth.

New interest is given by the chapters which depict Mr. Lincoln's long-suffering, notwithstanding the rapid growth of that general dissatisfaction and impatience which soon followed McClellan's elevation to supreme command. During this rising storm the imperturbable commander took neither the President nor Cabinet into his confidence. Under the erroneous information of his Pinkerton service he pictured the enemy at thrice his real strength, and based his own inaction upon these excessive estimates.

The mortification of Johnston's unobserved and unmolested withdrawal, was followed by strenuous opposition to Mr. Lincoln's plan for an overland advance on Richmond, and insistence upon the peninsula route. He was allowed his way, but it immediately appeared that the transfer of his army had been made with a surprising lack of military foresight. The navy, upon which, without definite arrangement, he had largely counted, was watching the Merrimac, and not available. His information concerning the topography of the country in which he was to operate was defective. The difficulties of the whole campaign, the causes of its failure at every step of the advance, and its humiliating results have not heretofore been set forth so clearly by any writer, while at the same time full weight is given to all McClellan's reasons for his want of success.

The treatment of the bitter discussions over his connection with Pope's campaign must prove a great satisfaction to McClellan's friends, as well as to those of General Fitz John Porter who is held up both as a brilliant soldier, and a sterling patriot.

The gloom over Washington as the defeated army of Pope fell back into its defenses; the turning to McClellan as an organizer; the dilatory advance towards Antietam; the failure to strike promptly when captured orders showed the widely scattered condition of Lee's forces; the grave mismanagement of an army double that of Lee's in this the only great battle in which McClellan was personally upon the field, and the bloodiest one day's fight of the war; the hesitancy in following the escaping enemy; and his removal from command are the dark colors with which the author paints the closing scenes of McClellan's military career.

As a man, a military scholar, a loyal citizen, a patriotic general and  
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a gentleman, McClellan was General Michie's ideal. But notwithstanding his unquestioned and versatile abilities, the volume writes him down as a failure in the effective management of a great army in the face of the enemy.

H. V. BOYNTON.

*Reconstruction in Mississippi.* By JAMES WILFORD GARNER. (New York: The Macmillan Co. 1901. Pp. xiii, 422).

*The Reconstruction of Georgia.* By EDWIN C. WOOLLEY, Ph.D. [Columbia University Studies in History, Economics, and Public Law.] (New York: The Columbia University Press; The Macmillan Co. 1901. Pp. 112).

MR. WOOLLEY, so I understand, is a Northern man, Mr. Garner a Southerner. So much might perhaps be inferred from a comparison of their treatises, but to make the inference one must begin by conceding to both writers the purpose to be fair. Mr. Woolley avoids the risk of being unfair by declining to attempt any close study of Southern conditions and Southern character, but criticises freely the motives of the Northern leaders in Reconstruction and the policy they adopted. Mr. Garner is extremely shy of criticising the acts of Congress, and does not generalize about the policy, but his perfect familiarity with the people and the conditions in Mississippi is manifest. Each shows by his restraints his fear of being partial. So far as impartiality is honesty, neither leaves anything to be desired.

The merit of Mr. Woolley's essay is in making clear the legal and constitutional uncertainties, the two-sided questions, which successively arose to justify in some measure the curiously illogical steps by which Georgia was brought haltingly back into the Union—from which, according to the only constitutional theory which is consistent with the measure that had been taken to preserve it, she never had actually withdrawn herself at all. The author starts with the proposition that congressional Reconstruction was constitutional if we consider it an exercise of the war powers of Congress. After that, nothing is left to do but to interpret the Reconstruction Acts and reconcile them among themselves. He is logical in his contention that the question whether the ratification of the fifteenth amendment by Georgia validated the amendment itself has nothing to do with the right of Congress to require ratification, or anything else it chose, of the Georgia legislature. Without accepting the argument from war powers, one may concede that it is the best defense of the Reconstruction Acts against the charge of unconstitutionality.

On other grounds, Mr. Woolley criticises the whole plan unsparingly. Neither the humanitarian, the disciplinary, nor the political objects of it—so he classifies the motives of its promoters—were attained. As to the process in Georgia, he outlines it very barely, and concludes that the Reconstruction government of that particular state, though guilty of extravagance, of mismanaging the state railroad, and of pardoning too many criminals, was guiltless of the enormities it has been charged with.

Mr. Garner, if he himself does not criticise and generalize, certainly supplies his readers with the amplest material to form their own opinions. If anything that ought to go into his narrative is omitted, it is something that was done at Washington, not in Mississippi: he does not detail the laws of Congress or state fully President Johnson's original proposals. Every step of the two processes in Mississippi is set forth with transparent honesty, every condition and element of the problem there is adequately considered. Going back to the beginning of the secession movement, and making a résumé of Mississippi's experience in the war, he prepares us, as we could not otherwise be prepared, to understand how the impoverished, disappointed people were affected by the changes they were hurled through. For thoroughness, straightforwardness, completeness, the work deserves high praise; it is no doubt the best account we have of Reconstruction anywhere. It is so good a piece of work that one is vexed, as one often is with similar performances, not to find it better—not to find it of such a quality, and so rounded out into a book, that no phrase like "a piece of work" would fit it. That, however, is what it is. Mr. Garner writes acceptably, because he writes honestly and simply, though not always correctly, but he writes without art, and our interest in the profoundly human story he is telling is never heightened by any device of his. Now and then we glimpse a humorous aspect of the matter, but he does not seem to enjoy it with us. One is led to think of his book, and his solid, plodding style, as a result of Reconstruction. Surely no Southerner of an earlier generation could have recounted so dispassionately these humiliations of his people or so carefully have weighed out praise and blame to such a man as Adelbert Ames, military governor, United States Senator and finally civil governor of a state which he never saw until he marched into it as a conqueror and which he left forever so soon as a legislature bent on impeaching him had agreed to let him resign.

Mississippi is perhaps the best state to single out for a fair example of carpet-bag rule. It was not misruled so atrociously as South Carolina, nor, on the other hand, did the native whites regain control so quickly as in Georgia. Mr. Garner goes far enough in the way of generalizing to tell us that the Mississippi carpet-baggers were probably superior as a group to those of South Carolina and Louisiana. The blacks of the state outnumbered the whites, however, and they were mostly of the densely ignorant, large-plantation type. Here are a few of the more striking instances Mr. Garner mentions of the upside-down arrangement which Reconstruction for a time established.

Every member of the Madison county board of supervisors, an important legislative body, was a negro, and only one member could sign his name; there was not a justice of the peace in the county who could write. The negro president of the Wilkinson county board testified before a committee of Congress that his property consisted of "a mule, a horse, two cows, and a family." Amite's board was made up of four negroes and one white man, all under indictment. Yazoo, a very

wealthy county, had a negro sheriff, a negro chancery clerk, circuit clerk, two negroes in the legislature, and three on the board of supervisors. The chancery clerk said he "could write a little." One member of the board was a native white. All the other county officers were carpet-baggers—the assessor from Iowa, the circuit judge from Pennsylvania, the chancellor from New Hampshire. The salaries of most local offices had been raised to very handsome figures. Some of the sheriffs got from fifteen to twenty thousand a year. Crosby, the negro sheriff of Warren county, the forcible ejection of whom from office was the main provocation to the Vicksburg rioters of 1874, could not write a return, and the signatures on his bond were all made with marks except one, and that was a married woman's, whose signature did not bind her.

W. G. BROWN.

*Asia and Europe.* Studies presenting the conclusions formed by the author in a long life devoted to the subject of the relations between Asia and Europe. By MEREDITH TOWNSEND. (New York: G. P. Putnam's Sons. 1901. Pp. xii, 388.)

As the subtitle of this book indicates the author has given long and close attention to the fascinating subject of the relations between Orient and Occident, which his life-work for a time afforded him the opportunity of studying at first-hand. In the presentation of his views, Mr. Townsend rarely leaves the sound basis of personal observation or historical experience, and even in the few instances where he allows himself to indulge in forecasts, he simply draws the logical conclusions of facts and conditions which he has found to exist. As few writers have the experience and insight necessary for the discussion of so broad and far-reaching a subject, the views of a man who has enjoyed such opportunities will claim wide attention, although they cannot of course be assured of universal assent. While Mr. Townsend is not an historian, inasmuch as he does not present any sequence of events but rather discusses and illustrates tendencies, still his work is of importance to the historical student as a commentary on the political, social, and philosophical movements in the orient, and especially in India, during the last half century. The author does not go into any detailed critical or technical discussion of actual systems of government, or of administrative measures, his point of view being neither political nor economic, but psychological; in the irreconcilable characteristics of the general mental constitution of the eastern and western races, which he attempts to analyse, he sees an insurmountable barrier which no assimilating efforts can level to the ground. As the book is composed of a series of contributions to English reviews, covering a period of several decades, the character of its contents is somewhat fragmentary, and the reader must gather from various parts the author's opinion on any given topic. Often we would gladly know without having to consult Poole's *Index* at what time the various essays were written, in order to avoid the feeling of encountering anach-



ronisms with respect to the date of imprint. The papers dealing with the Arabs and the negroes are based on less direct knowledge than the other parts of the book and the opinions expressed in them need not here be further considered.

Notwithstanding his pessimistic view of the future relations of East to West, the author does full justice to the remarkable administrative work performed by England, when he says that it is "the most marvelous example the world has ever seen of governing human beings through abstract principles." Still the conquest of India and Asia he does not consider permanent, nor has it in his opinion brought unmixed blessing to the native races. The Westerner has made but a very superficial impression on the Oriental in the past, and present conditions are even less favorable than those of the past for the formation of a closer personal relationship. White men are merely sojourners in India, and an insurrection against their rule may occur at any time, and will occur—the author thinks—"within a month of our sustaining any defeat severe enough to be recognized as a defeat in the Indian bazaars." The masses of India, who have benefited most from the British rule of law and order, are too passive and inert to form political opinions; they, therefore, have no appreciation of the benefits conferred; on the contrary they are dissatisfied because they have been rendered liable to eviction from their ancestral holdings, the one oppression which they consider intolerable. This is a result of the general enforcement of the obligation of contract, and in this respect the masses have not been benefited by the establishment of justice. The upper classes either strive for place, and place is disappointing, because under British rule it does not imply that kind of power which an Oriental values, the power of punishing his enemies and rewarding his friends; or they hold coldly aloof, mourning the lost opportunities of rising rapidly to power. Those who have received a European education are often the most intensely hostile to English rule. While it is not true that the Orientals dislike justice, a slow and intricate manner of procedure in civil and criminal cases, with repeated opportunities for appeal, does not enlist their respect; they demand rapid, inexpensive, final justice, and look back with regret to the days when cases were disposed of summarily by the native ruler, forgetting all the while the terrible oppression that usually accompanied this system. "It will take three centuries at least for the idea of government by law to filter in its full strength down to the Indian masses." One of the most unhappy results of the conquest is that a torpor has seized the higher intellectual life of India, and that power in the application of art knowledge is becoming rare.

The characteristics of the Oriental mind, which differentiate it so radically from that of the West that even mutual understanding seems impossible, are all the outgrowth of that subjectivity which leads the Oriental to construct his world *a priori* upon some philosophical model and without regard to practical results. The mental attitude of the Oriental towards nature is one of passiveness and humble submission to all her cap-



rices and majestic cruelties. Natural catastrophies in the orient are of such size as to strike terror into man and to stifle the thought of conquering or controlling the forces of nature. Hence, the Oriental submits in general to the established order, and a policy of reform does not appeal to him. His political world he assimilates to his ideas of the universe, which he imagines as controlled by some irresponsible deity. Thus government is in its essence divine, irresponsible, not a mere matter of business and calculation. Orientals readily accept the leadership of great men, they are true hero-worshippers. Their moral judgments are not fixed, but vary with the castes and with the conditions of life. Falsehood is looked upon in the spirit of the Gascon as "an exercise of the intellect like another to be judged by its object and its success." When the will of an Oriental has seized upon a certain purpose it closes with a fatal grip, and no consequence will deter it; in this manner the usual submissiveness at times gives way to a stormy violence which hurls the masses against established institutions. Ordinarily, they are submissive even under great oppression and extortion; their abstemiousness is the despair of the ministers of finance, who can find nothing to tax, and it renders them physically weak as it is in many cases synonymous with constant under-nourishment. Meanwhile, they take life as it comes in a gentle spirit of humorousness. The author speaks of Dhuleep Singh as a typical Asiatic; educated in Europe and for a time adopting completely the ways and thoughts of the West, this native prince suddenly dropped the whole varnish of western civilization and started on a crusade of vengeance against England. Thus, in general, the acquisition of Western culture and learning by the Oriental is but superficial and does not deeply modify his character.

The author contends, contrary to the usual assumption, that patriotism does exist in the orient, and instances in support of his view the pride of the Bengalee in the past grandeur of his country. It would, however, seem that, while a certain attachment to their country and its history exists among Orientals, they have not, with the exception of the Japanese, developed that habit which to quote Lecky "men acquire of regarding their nation as a great organic whole, identifying themselves with its fortunes in the past as in the present, and looking forward to its future destinies." Mr. Townsend admits that the patriotism of the orient is similar to that of the Middle Ages; patriotism, however, does not get its full meaning—the recognition of membership in a larger organic unity—until the city state has been reached in political development, and this stage the orient has not as yet attained to.

Race psychology is a subject of such elusiveness that an attempt to deal with it outside of the art in which Lafcadio Hearn is a master will always be approached with caution. Mr. Townsend has, however, infused so much of direct observation and of careful reflection into his work, that it will be received with great respect. Together with Mr. Theodor Morrison's *Imperial Rule in India*, and Kipling's portrayals of native habits of mind, it forms a strong indictment of the policy of

introducing the western mechanism of government and civilization into the orient. We are in great need of a scientific study of the development of Indian administration and its influence on native society—a work which will demand not only a technical mastery of institutions, but before all an understanding of the psychological difficulties which Mr. Townsend has suggested. We might wish for our own sake that he had discussed more in detail some of the political measures of the last two decades in their relations to native life, or that he had given us his views on the results of the introduction of western *industrial* civilization in the orient, with its cardinal idea of a uniform natural law, free from caprice—an idea of great potentiality for radically influencing the Oriental mind; but we are grateful to him for the stimulating and suggestive thoughts he has communicated to us, and for such apt expressions as “contemptuous guardianship”—a fit pendant to the “ironical allegiance” so much spoken of in former days.

PAUL S. REINSCH.

*The Working Constitution of the United Kingdom.* By LEONARD COURTNEY. (New York: The Macmillan Co. 1901. Pp. viii, 383.)

THIS book, as the title indicates, treats of the existing political institutions of the British Empire. It is, however, far more than a mere descriptive handbook. Each institution is presented in an appropriate historical setting and the successive stages of recent development recounted in outline, sufficient to explain current facts. The various defects and inconsistencies of the existing machinery of government are also pointed out and possible remedies suggested.

The plan of treatment is admirable. Part I. is occupied with the consideration of Parliament—Crown, Lords and Commons—as the organ through which the will of the nation seeks formal and final expression; Part II. with the consideration of the institutions subordinate to Parliament—the judiciary, the church, and the various organizations for local administration; Part III. with the relations of Parliament to the Empire, and to foreign powers. Under this head are also treated the local institutions of the several kinds of colonies, the question of ultimate federation, and the possible result of the attempt to govern alien races from Westminster. A chapter is given to the delicate machinery by which treaties and other conventions are made with foreign powers, and a final chapter to the possibilities of the British Constitution in the way of future growth.

In a work of this character where the demands of severe condensation are paramount, one hesitates to raise an issue with an author who is evidently so well possessed of the matter in hand. Some statements, however, certainly need qualification. For example, after speaking of the ancient origin of the parish, the author proceeds to consider it as the unit in political organization, a function of the parish which is by no means ancient, but belongs rather to comparatively recent times. So

also in discussing the legislative functions of the House of Lords, the author presents the long accepted view which deprives the Lords of all power to arrest legislation in a final issue with a ministry that possesses the support of the Commons; and yet in the light of the memorable defeat of the second Home Rule Bill of Mr. Gladstone, the question may be fairly raised: does the accepted theory of the legislative nonentity of the Lords express fully the fact? Are there not conditions under which the rejection of a measure by the Lords is a finality, although at the time the measure possesses the support of the Commons. It is significant that before the determined front of the Lords in 1893 even Mr. Gladstone flinched, although in the Newcastle Programme he had pledged himself "to mend or end" the House of Lords.

The American student will regret that the author has not seen fit to give fuller treatment to the material grouped under Part II. In Part I. he traverses a well-beaten track, familiar to all students of English history. But in discussing the working of the British judicial system and the development of local government in recent times, the author enters the mysterious shadows of a land, to the average American student, virtually unknown. The value of the book would also be increased for an American reader were it accompanied by a glossary in which such technical terms as are not to be found in an ordinary dictionary might be explained. All in all, the style is not as lucid as one has a right to expect in a book of this character; the composition is frequently careless and sometimes the result is startling. Note this remarkable statement on page 246, "the city is divided into twenty-six wards, the rate payers of which annually elect common councilmen in varying numbers having some rough relation to their size." BENJAMIN TERRY.

*Dictionary of National Biography.* Edited by SIDNEY LEE. Supplement, in three volumes. Vol. I., Abbott-Childers, Vol. II., Chippendale-Hoste, Vol. III., How-Woodward. (New York: The Macmillan Co.; London: Smith, Elder and Co. 1901. Pp. lii, 430; vi, 452; vi, 522.)

THE *Dictionary of National Biography* has now reached definite completion. It was begun as long ago as 1882 and the quarterly volumes have since appeared with clock-like regularity. Between the beginning at "A" and the ending at "W" many persons died who were entitled to a place in the *Dictionary*. Some names also were omitted from the earlier volumes. The present supplement covers these omissions and completes the *Dictionary* to the end of the reign of Victoria. There has indeed been a rare dramatic finish to the great work. The Queen died when the supplementary volumes were under way and the close of her reign then became a fitting date to mark the end of the work. It is therefore complete to January 22, 1901. Mr. George Smith, the publisher, who brought it out at enormous financial loss, died April 6, 1901, having lived to see it practically finished. In one sense, however, the



*Dictionary* is always unfinished. Within the British Empire about seventy-five persons die annually whose reputation entitles them to this national commemoration. At this rate every fourth or fifth year material accumulates for a supplementary volume.

The *Dictionary* is a noble national monument. Its first editor, Mr. Leslie Stephen, and his successor, Mr. Sidney Lee, have both shown extraordinary capacity for their difficult task and their work is as near perfection as anything human is likely to be. Some complaints have been made that the system of cross-references is inadequate and a good many minor errors of fact, especially in the lives of colonial personages, have been pointed out. There were complaints, too, of omissions; but the present supplementary volumes correct all of these that in the editor's judgment deserve consideration. The work is sometimes wanting in a sense of proportion. It is doubtful, for instance, if Mr. Gladstone, Mr. Ruskin, Lord Russell of Killowen, or even Queen Victoria, will retain for future ages the importance, relative to others, assigned to them here.

There are some unexpected names. Dr. McCosh, the famous President of Princeton, figured so prominently in the life of the United States that we hardly expect to find him, as a Scot, included among British biographies. Antonio Carlo Napoleone Gallenga is not precisely English in form. He was an exiled Piedmontese patriot who became a correspondent for London newspapers and died in England. Perhaps the most striking thing in the supplementary volumes is the very large number of names of persons who made their fame in Canada, Australia, or South Africa. This is a noteworthy phase of present day imperialism. The share allowed to such lives is generous and there has obviously been a desire to do full justice to "Greater Britain."

We turn naturally to examine the lives of the historians. Freeman and Froude stand almost side by side. Perhaps, since death, the reputation of Freeman has declined more than has that of Froude. In life Froude's weaknesses were emphasized by persistent attack, while Freeman succeeded in inspiring the critics with something like terror of his powers. A *Quarterly* reviewer, later revealed as Mr. Round, soon after Freeman's death, attacked his accuracy in regard to the battle of Hastings. Since then, others have raised their voices and few now do him the old unqualified reverence. Mr. Hunt, Freeman's friend and fellow-laborer, claims here that Freeman "raised the study of history in England to a higher level than that on which he found it, chiefly by inculcating the importance of a critical use of original authorities, of accuracy of statement, and of the recognition of the unity of history." This may be true, but it does not cover a complete outfit for the historian. Freeman was bitterly prejudiced, and, as his treatment of Froude showed, he could not be fair when the personal equation was involved; he accused Froude, a Fellow of Exeter and a good Latin scholar, of translating *praedictae rationes* as "the aforesaid rations"! He wrote also, always from the point of view of complacent patriotism, and the present generation finds it hard to forgive him for his neglect of social life and

manners. Other historians of lesser note, H. D. Traill, Sir George Stokes, Professor Lumby, Wm. Kingsford, appear in these volumes. Two more writers, qualified to stand in the first rank—Stubbs and Creighton—have passed away since the volumes were prepared for the press. The special advantage, which the memoirs in the supplementary volumes have, is that they are contributed by contemporaries and in most cases by those having personal knowledge of the subjects.

In putting the work upon our shelves we ask whether the United States is likely soon to have such a dictionary. It is very doubtful. Reputations are more fixed, precise, and generally recognized, in an old country like Britain than they can be in the republic. Every state of the Union has its own standard of importance. New York's estimate is not Nevada's and only an omniscient editor could fix a scale that would gain general recognition.

GEORGE M. WRONG.

*Seventeenth Annual Report of the Bureau of American Ethnology to the Secretary of the Smithsonian Institution, 1895-1896.* By J. W. POWELL. Part I. (Washington: Government Printing Office. 1898. Pp. cxiii, 468 + 129-344.)

*Eighteenth Annual Report of the Bureau of American Ethnology to the Secretary of the Smithsonian Institution, 1896-1897.* By J. W. POWELL. Part I. (Washington: Government Printing Office. 1899. Pp. lvii, 518.)

THE Report of the Bureau of Ethnology for the fiscal year 1895-1896 is published in two volumes. There are two memoirs in each volume; the first deals with the Seri of northwestern Mexico, a people hitherto little known and remarkably interesting to the student of primitive culture; the second gives an account of the Kiowa, a small plains tribe that has maintained its autonomy in the midst of a multitude of migratory and warring tribes. The second volume deals with peoples of the southwestern plateau, the Navahos and the Hopi.

These papers cover a wide range of cultural development. The Seri are in perhaps the lowest phase of American culture; the Kiowa represent the large group of hunters so materially modified by the acquirement of the horse; the Navaho are rapidly advancing toward a sedentary life; and the ancient Hopi have already developed the art of agriculture and stand highest among the aborigines within the present territory of the United States. The papers are based upon extended studies in the field as well as upon the examination of the literature of each group: the first three treat of ethnologic and historic subjects for the most part, while the fourth describes an archæologic investigation with special reference to esthetic concepts.

The Report not only maintains but advances the high standard of excellence of the series. The illustrations are numerous and well selected, those accompanying Dr. Fewkes's paper being especially noteworthy. The introduction contains a list of the publications of the

Bureau nearly all of which are out of print. This introduction "deserves to be read" for the essay upon anthropologic classification which it contains as well as for the information concerning the work of the Bureau staff.

Professor W J McGee's monograph upon "The Seri Indians" contains a somewhat extended account of the physical characteristics of Tiburon Island, in the Gulf of California, and the adjacent coast of Sonora, and is accompanied by a new topographic map. The tribal history characterized by aloofness and hostility to aliens is outlined in a chapter of seventy-two pages. The description of the somatic characters of the Seri proves them to be among the strongest and hardest of the human race. Rivalling in speed the horse and the deer, they have shown themselves capable of enduring long periods of fatigue, hunger and thirst. They are of gigantic stature, the mean for the males being about six feet, and for the females about five feet and eight or nine inches. To the demotic characters of the Seri 132 pages are devoted, principally to the industries and industrial products. Decorative art is represented almost solely by facial painting, which is confined to the females. In his remarks upon the spontaneity of the esthetic, Professor McGee observes that "the esthetic activities afford a means of measuring developmental status or the relative positions in terms of development of races and tribes." Judged, then, by their meager esthetic and industrial motives the Seri stand near the bottom of the scale of demotic development. Utterly devoid of agriculture and without domestic animals, the Seri are confined in their industry to the manufacture of the few simple weapons needed for the chase and the nearly continuous warfare which they wage against all aliens, to the construction of boats and the few wretched shelters which they possess, and to the manufacture of scanty clothing.

The strait which separates Tiburon Island from the mainland is crossed by means of balsas made of cane. These boats are graceful, buoyant and wonderfully efficient in a stormy sea. They are without paddles, oars or other means of propulsion, either the naked hands or a shell held in the hand being used. The habitation of the Seri is likened by the author to the "prairie schooner." It is of about the same width and height and is open at one end. It is covered or has, irregularly piled against it, heaps of shrubbery, turtle shells, sponges and the like. The most distinctive article of apparel is the kilt worn by all, which extends from the waist to the knees. It was originally made of coarse textile fabric or birdskins. Among their social customs the strict marriage laws and the antipathy toward aliens stand prominently forth. The memoir closes with a fifty-page account of the Seri language, including a comparative lexicology, whereby the author shows that the Seri are to be regarded as a separate linguistic stock and not as hitherto supposed belonging to the Yuman family.

The second memoir of this volume is a "Calendar History of the Kiowa Indians," by James Mooney. About a hundred pages are devoted

to an historical sketch of the Kiowa, while the remaining two hundred contain a careful discussion and interpretation of the calendars. The work is characterized by a clearness and mastery of detail that could be acquired only by prolonged and patient research, as well as by an intimate knowledge of the Kiowa at first hand and of adjoining tribes. The Dakota and Kiowa calendars are the only ones thus far known among the plains tribes. Mr. Mooney succeeded in obtaining three calendars from the Kiowa, while a fourth was loaned to him. Another was reported to have been buried with its owner a number of years ago. One of these covers a period of sixty years from 1833; another, beginning with 1864, covers a period of twenty-nine years; and a monthly calendar embraces a period of thirty-seven months. Events that would appear to be of the highest importance from the point of view of the white man are sometimes not noticed in the calendars, while on the other hand the most trivial circumstances are recorded. In these as in the Dakota records the motive seems to have been to draw pictographs commemorating events of peculiar interest to the recorders.

The first volume of the Eighteenth Annual Report contains a memoir upon "The Eskimo about Bering Strait" by E. W. Nelson who resided at St. Michael from 1877 until 1881 and who made thereafter further exploratory trips as naturalist and ethnologist to Siberia and various portions of Alaska. The publication of the results of Mr. Nelson's work was delayed by ill health, though the field work was done, fortunately, so long ago that the tribes had been little modified by acculturation. The memoir deals primarily with the technology of the Eskimo though it also contains a very full account of the social life and of the folk-tales of the people. The author is to be credited as the only observer who has detected the existence of a gentile organization, with corresponding totems, among the Alaskan Eskimo north of the Kuskokwin River. However, little information concerning the details of this feature of the social structure were obtained.

The industrial products of the Eskimo challenge our admiration because of their ingenuity and the skill with which they are wrought. They are quite numerous when we consider the poverty of their severe environment. Mr. Nelson's careful descriptions give us a fuller realization of the hazardous adjustment existing between the native and his surroundings. A noteworthy feature of the collection is the fact that the objects were made for use and not for sale; hence they are not cheap imitations hastily prepared for the curiosity hunter. The practice of building a large house to be used as the center of the social and religious life of the village recalls the kiva of the southwest. In this kashim the unmarried men sleep at all times, dances and festivals are held there; it is the place for receiving guests; it is the gathering place where the men make tools and weapons or dress skins. In the kashim, also, the sweat baths are taken by the men and boys at intervals of about a week during the winter. The heat is so intense that respirators are necessary to protect the lungs. From the sweat bath they go outside and pour ice water

over their backs with dippers, "apparently experiencing the greatest pleasure from the operation"! The account given of the "moral characteristics" of the Eskimo is not laudatory and it is comforting to know that the low esteem in which human life was held at one time has changed with the advent of the new.

Considerable space is given to the festivals wherewith the Inuit enliven the long dark winter. Their masks are described, also, with many excellent illustrations. They are more secretive in their practice of religious rites when in the presence of white men—the only effect of the presence of missionaries for half a century. Not half a dozen full-blooded Eskimo in the whole region believed in the white man's religion but all were firm believers in the shamans. They believed, also, in witchcraft and that a witch might steal a man's shade and thereby cause him to pine away and die. This resulted—as so frequently happens to ethnologists among the American aborigines—in the firm belief that the figures on the ground glass of Mr. Nelson's camera were the shades of those whom he sought to photograph and as he had them all in the box they were in imminent danger! The shamans were all-powerful and the manner in which they were "called" to this vocation is of general interest. The initial step is to have one's attention drawn to some remarkable event; after noticing this he either secures the aid of some old shaman or practices in secret until he thinks he has acquired sufficient power to warrant his announcing himself to the people. One noted shaman on the lower Yukon was led into the business by having strange dreams and frequently waking up in a different place from that in which he went to sleep! The more shades a shaman could control the more powerful he became. Not infrequently they caused the death of infants and afterwards stole the body which they dried carefully and kept in order to secure control over an especially potent spirit. If a shaman was suspected of using his power to work evil on the community he was in danger of being killed by common consent. In the fall of 1879 the Malemut of Kotzebue Sound killed a shaman simply because he told too many lies.

A number of fetishes are described and figured; and reproductions are given of the fabulous monsters concerning which the Inuit have many myths. Among these we notice the thunderbird that forms so conspicuous a figure in North American mythology. About fifty pages are given to folk-tales of which the raven legends are said to be the most popular as they account for the origin of all things. Young men who have a special aptitude for memorizing become the narrators repeating the tales verbatim with the same inflections and gestures again and again to the attentive listeners who do not seem to tire at the repetition. Mr. Nelson mentions having been kept awake several nights at the mouth of the Kuskokwin by young men lying in the kashim repeating for hours the tales they were memorizing.

The volume is illustrated by 107 plates and 165 figures in the text. It is indispensable to the curators of ethnologic collections, and of value to students of sociology, comparative religion and folk-lore.

FRANK RUSSELL.



*Primitive Man.* By Moriz Hoernes. Translated from the German by James H. Loewe. (New York, The Macmillan Co., 1900, pp. 135.) We regret that we cannot speak in high terms of this little book on *Primitive Man*, for Moriz Hoernes is one of the leading archæologists of Europe. His work, field investigation and museum development is of the highest grade. His large book, *Urgeschichte des Menschens*, is unquestionably the best general manual of prehistoric archæology. But a man may write a capital manual and fail in preparing a primer. This Dr. Hoernes has pretty nearly done in this recent number of the "Temporary Primers."

It is a difficult task to present an outline of the great field of prehistoric archæology within the space of 126 32mo pages. Dr. Hoernes first presents some preliminary chapters upon general subjects; he then discusses more special themes under the headings—"Earliest Traces of Man," "The Later Stone Age," "Aryan and Semite," "Pile Dwellings," "Metals," "The Bronze Age," "The Hallstatt Period," "The La Tené Period." These chapters vary greatly in interest and value. Dr. Hoernes's chief service in the book is the fair discussion of the Hallstatt and La Tené periods and his location in their proper relations of the finds made by Dr. Schliemann in his excavations. These topics are so rarely treated in elementary and popular works upon archæology that general readers find them hazy problems.

We may reasonably expect that a translator shall know the language from which he translates, the language into which he translates and the subject with which the work he is translating deals. Mr. Loewe, the translator of this book, appears to know none of these three things. He knows German so little that he thinks wise to acknowledge it in his preface: his English is so inadequate that he speaks of *palstabs*, of "receiving iron in large proportions" (quantities), of *kjoekkenmoeddinge* (a plural which is neither English nor Danish), of objects of "hammered stone" (chipped stone objects), of "glass pearls" (beads), of "stone vaults which they built in the solid cliff" (which he informs us are "megalithic graves"). Would that these were occasional slips! Mr. Loewe's "notes" would be laughable, were they not cause for tears. What school boy needs a definition of the word *moraine*? Where could less satisfactory definitions of the modern conception of *loess* be found than those he presents? Why does he glide over the word *fibula* with no explanation and then inform us of its limited synonym "dress-pin" that it is "like the safety-pin of the nursery"? Who could compose a worse list of "English works not included in the author's bibliography"? But, enough! Moriz Hoernes should have written a better primer; and, if no translator could be found who knew German, English and archæology, the book might better have remained in the original.

FREDERICK STARR.

*A Short History of the Hebrews, to the Roman Period.* By R. S. Otley, Rector of Winterbourne Bassett, Wiltshire. (New York, Macmillan;

Cambridge, The University Press, 1901, pp. ix, 324.) This book may be recommended to general readers who desire to have an intelligible and readable sketch of ancient Hebrew history. It is the work of a clergyman who, though not a specialist in this department, is intelligent and diligent; he has carefully consulted the best recent English material, but seems not to be acquainted with German and French authors, except so far as they appear in English encyclopaedias or have been translated into English. His narrative is clear and attractive, with an agreeable interspersing of cautious and sensible critical remarks—it shows the judicial sanity of an educated English gentleman. There is a certain advantage in a non-specialist's view of a period of history in process of critical construction; such a one escapes to some extent the vagaries and the complications of discussion. On the other hand, he is in danger of making the story too smooth, passing lightly over the asperities of opposing facts, and thus giving a false impression of historical certitude. Mr. Ottley has not entirely escaped this danger: his accounts of the origin of the Hebrews, of Abraham, Jacob, Joseph and Moses, of the formation of the twelve tribes, and of the exodus from Egypt and the conquest of Canaan omit a number of difficult and interesting questions. He says nothing of the possibility or probability of a series of partial movements to and from Egypt; he dismisses the origin and establishment of the Yahweh-cult with a word; and he follows too closely the legendary narrative of the book of Joshua. Occasionally he slips into dogmatic embellishment: according to the critical principles which he himself adopts he is not warranted in ascribing to the Israelites in the earliest times a purer faith than that of their neighbors, or in regarding the judges as champions of religious orthodoxy. But, notwithstanding such inaccuracies as these, the volume gives a generally good picture of the course of the national development; its attempt to discover the historical kernel in the stories of the patriarchs is well-considered, and after the time of Saul the authorities for the history down to the Babylonian exile are fairly trustworthy. The most doubtful period after the capture of Jerusalem by the Chaldeans is that represented by the books of Ezra and Nehemiah; here also our author's narrative is smoother than the material justifies. It is a more serious fault that he accords a certain degree of historical value to the book of Daniel; his statement that Belshazzar was put to death by Cyrus (so he seems to say, p. 228), has nothing whatever to support it, not even the narrative in the book of Daniel, though one very doubtful inscription has been supposed to state that Gubaru slew "the son of the King." A small error that it may be worth while to mention is the rendering the Assyrian title "rabshakeh" (2 Kgs. xviii. 17) by "chief cup bearer"; the word means "general" (of the army). Also it is desirable that the term "brass" should disappear from the English Old Testament, and be replaced by the proper term "bronze," or possibly in some cases by "copper."

C. H. Toy.

In the series known as the "World's Epoch Makers," edited by Oliphant Smeaton, the Rev. William Fairweather contributes a volume on *Origen and Greek Patristic Theology*. (New York, Scribner, 1901, pp. xiv, 268.) After an introductory chapter on Pantænus and Clement, the book is devoted to the life, the writings and the theology of Origen, with a brief statement of the main traits of Greek theology and of the fortunes of Origenism in later periods of the church. While the work adds nothing to the knowledge already accessible, it will reach a new class of readers and will deserve popularity as a careful and judicious summary written in an attractive style by one who has a true grasp of his subject. It has not the striking features or pointed statements of the expositions by Bigg and Harnack, and as it expounds Origen by the aid of a more fully developed formal system, it is more conventional and less interesting than Origen's own discourse. To this, as to many similar books, two criticisms are applicable. By the obscuration of views over which the Alexandrian thought triumphed, the relation of Origen to predecessors and contemporaries is not clearly conceived, and by a failure to discriminate this Alexandrian thought from that which began with Athanasius, many things are said of Greek theology which are properly not so general in their application. F. A. C.

*A History and Description of Roman Political Institutions.* By Frank Frost Abbott. (Boston, Ginn and Co., 1901, pp. viii, 438.) This book covers the period from the beginning of Rome to the age of Diocletian. For each epoch there is an historical sketch of the growth of the political institutions and a systematic description of their form. Excellent bibliographical lists and marginal references to original authorities are given in the body of the book, and citations of important documentary sources in the appendices. Professor Abbott's volume will probably appeal most strongly to his colleagues working on the borderland between history and linguistics, who have noted the curious lack of stress by American scholars and teachers on the political institutions of Rome, the side of Roman life that has the most significance for the modern world. It will be of real value to the high school teacher of Latin who sees the failure under our present system to correlate the results of Latin class-room work with other departments of knowledge. By the history teacher who recognizes our American deficiencies in ancient history, it may be welcomed as an attempt at showing to classical students early in their career the attractions of the institutional side of Roman life. JOSEPH H. DRAKE.

*England's Story* by Eva March Tappan, Ph.D. (Houghton, Mifflin and Co., 1901) will be chiefly valuable as a text-book or supplementary reader for grammar schools, though it is suggested that it may be used for first-year work in the high school. The style is sufficiently clear, simple, and graphic to catch and hold the attention of the young pupil. One notices occasional traditional errors, and, now and again, the effort



to condense leads the writer to convey an erroneous impression. Still, the book should have a place in the front rank among grammar school histories. The illustrations, the maps, the summaries of each reign, and the indications for the pronunciation of the harder names in the index are all helpful.

A. L. C.

Professor Blok's *Geschiedenis van het Nederlandsche Volk* is being done into German, by Pastor O. G. Houtrouw, of Neermoor, and is appearing in the series "Geschichte der Europäischen Staaten." Thanks to Mr. Bierstadt and Miss Putnam we have an English version of this work, but the German translation will still be of interest to English readers (Gotha, F. A. Perthes). In the first place, it is a full translation; it is in no part an abridgment. It will be remembered that, at the author's suggestion, those parts of his work that relate to political narrative were paraphrased in the English edition and their length thus considerably reduced. The original, then, is to be as fully accessible in the German as in the Dutch. In the second place, the German version seems to be exceptionally good. At all events it is effective, and it reads so that one forgets it is a translation. The first volume, the only one out thus far, like the original, brings the subject down through the development of the towns.

E. W. D.

*Les Sources de l'Histoire de France.* Tome I. Époque Primitive, Mérovingiens et Carolingiens, by Auguste Molinier [Manuels de Bibliographie Historique. III.] (Paris, Alphonse Picard et Fils, 1902, pp. viii, 288), constitutes the first part of a long expected work, which, when completed, is designed to be a critical catalogue of the narrative sources of the history of France from the earliest times to the beginning of the Italian wars. So far it comes down to 987; the rest of the work will treat of the feudal epoch and the Capetians to 1180, the direct Capetians from 1180 to 1328, and the Valois and the Hundred Years' War, to 1494. Also, the last fascicle will bring a detailed introduction.

This new bibliographical aid naturally takes a place in the same general class with the *Histoire Littéraire*, Chevalier's *Répertoire*, Potthast's *Bibliotheca*, Ebert's *Histoire de la Littérature Latine*, and the guides by Wattenbach, Dahlmann, Monod and Gross. At the same time it differs more or less from all of these familiar helps, in object and method. It really aims to do for French historiography what Teuffel has done for Roman literature: it enumerates systematically the narrative sources of the history of medieval France and indicates the principal books and articles to consult on each author or work. However, with the strictly narrative sources M. Molinier has joined what he calls "indirect sources," works of a more or less literary character but of use for historical purposes: letters, poems, inscriptions and political treatises. Each chapter usually begins with a short account of the nature and relative importance of the sources enumerated in it. As a rule only the principal editions are cited; but the reimpressions in Migne are referred to, because of their

convenience. In the lists of works to consult, the author has attempted to make a choice, deeming it useless to mention a multitude of books that have been superseded or that are recognized to be erroneous.

As M. Molinier observes at the close of his preface, there is no more unsatisfying work than making a scientific bibliography. It may not suit everybody concerned; spite of all human pains, errors and omissions cannot be wholly eliminated; and the progress of knowledge soon renders a new edition necessary. But when such work is as well done as in this case, those who profit by it will hardly withhold their hearty appreciation or even any assistance they may be able to give toward removing imperfections. The *Sources de l'Histoire de France* is logically put together, it gives an abundance of carefully selected information, and it fills a serious gap. In its present form it will meet in great measure an ever-present need of the student of medieval history, and it will of course be of still more service when the completed work is provided with a general chronological table. This table, it is promised, will be as complete and detailed as possible. E. W. D.

The *Quellen und Untersuchungen zur Geschichte des Hexenwahns und der Hexenverfolgung im Mittelalter* promised by Dr. Joseph Hansen as a supplement to his foundation-laying work, *Zauberwahn, Inquisition und Hexenprocess im Mittelalter*, has now appeared, and proves to be an admirably edited collection of nearly the whole special literature of the witch persecution down to the middle of the sixteenth century, including not a little which has never before seen the light of print. Added to this are two or three special studies, among them a critical list of recorded witch trials from 1240 to 1540. To the critical student the two books of Dr. Hansen outweigh all other literature combined (if one except the chapters of Mr. Lea's *Inquisition*) for the study of the beginnings of this gruesome episode in the history of civilization.

G. L. B.

*Peter Abélard.* By Joseph McCabe. (New York and London, G. P. Putnam's Sons, 1901, pp. ix, 401.) While this work does not claim to present any distinctively new material there is nevertheless sufficient reason for its appearance. For aside from such incidental treatment as Abélard has received in works like those of Morison or Rashdall, or of brief sketches such as that of Poole, English readers have had little recent literature upon the subject; and there has been no monograph of any length embracing Abélard's whole history and discussing the recent theories of his action at the Synod of Sens. The present work, like that of Hausrath, deals mainly with Abélard's life, and gives only incidental treatment to his philosophy and theology. It is written for the general public rather than for the historian. The original sources and the French and German "lives" have been utilized in its preparation, but the method of presentation does not afford facilities for verifying or controlling the witnesses that are cited. Considered as a book for the

general public the work has much to commend it. The narrative is well constructed ; the style is clear ; the interest is well maintained ; the author aims to be fair both to Abélard and to his opponents, although his sympathy is evidently more with the former than with the latter. In the story of Abélard's relations to Héloïse, the author defends Abélard from the accusations of profligacy but does not attempt to excuse the frequent instances of weakness and selfishness. Deutsch's explanation of the appeal to Rome at the Synod of Sens is adopted, viz., that Abélard had become aware of the informal conference of the bishops on the preceding Sunday, at which they had already determined on a sentence of condemnation. Probably the least satisfactory portion of the book is the statement as to Abélard's philosophical theories. The doctrines of realism and nominalism need to be stated in their relation to the whole theological, ecclesiastical and political atmosphere of the Middle Ages, if their real significance is to be appreciated. When so stated, they appear as important as, let us say, the doctrine of nationalism versus state rights to our fathers, or of independency versus episcopacy to the Puritans.

JAMES H. TUFTS.

*Chivalry*. By F. Warre Cornish, M.A. [Social England Series.] (London, Swan Sonnenschein and Co. ; New York, Macmillan, 1901, pp. 369.) The idea of the editor of this series, as stated in the preface, is certainly sound, and his statement of it convincing : "To leave out nine-tenths of the national life and then call the rest a history of the nation is misleading . . . Treated in this manner history has no pretensions to be a science ; it becomes a ponderous chronicle." But the wide survey, which gives each part of human activity its proper setting, limits the treatment of each theme so that the separate monographs are in danger of becoming mere colorless and lifeless compendiums. While it would be quite unjust to characterize Mr. Cornish's *Chivalry* as a work of this order, it must be admitted that fewer references to isolated incidents, along with more attention to grace of style, would make the work more acceptable, and none the less valuable.

Mr. Cornish's description of chivalry does not claim to contain any new contributions to history, and he seems conscious of the lack of interest that one may feel in "gleanings" in a field that has already yielded its harvest. One might expect, however, in a book that has to dispute the ground with Gautier's picturesque description, a little more sympathetic insight into the actuality of feudal life. The analysis is all, or nearly all, from the outside, and what is gained in clearness is lost in intensity. Little touches, like the reference to the "Drums of the Fore and Aft" (p. 90), show that the author himself has caught the spirit of the time, but the necessity to state all the facts of the case in a given number of pages, has prevented him from conveying it to the reader as much as one would wish.

However, the field has been conscientiously covered and there are few even of the details of feudal practices which are not explained in this

book. There are chapters on the education of the knight, on the tournaments, the crusades, and heraldry. The literature of chivalry is analysed and the dominant sentiments brought out. Medieval warfare is described with very evident obligations to Oman's *Art of War*, though throughout the whole book contemporaneous sources are freely used. The subject is not English chivalry but chivalry in general. Indeed English chivalry, as a late importation, is given almost secondary consideration. It is perhaps the greatest merit of the book that it has not limited itself to a single phase, or to a narrow field. The place of the tournament becomes clearer when linked to the pyrrhic dance, and compared with the horse racing of the modern gentry. The chapter on heraldry has especially gained by the historic treatment, and will be found a good introduction to that somewhat abused science. Altogether the book may be found thoroughly acceptable as a text-book, on account of its arrangement and scope. For this purpose—in fact for any purpose—a good index is almost indispensable. If this were added, its value would be considerably increased. The illustrations, of which there are about twenty, are fine copies of medieval drawings.

J. T. SHOTWELL.

*Domesday and Feudal Statistics* by A. H. Inman collects together in its tables and statistical parts much desirable information relating to the population and classes of Domesday England, to the feudal services of the following time, and to the agricultural arrangements of the feudal age, but the extraordinary obscurity and confusion of the treatment in many places, the peculiarities and even absurdities of the style, and the constant obtrusion of the author's prejudices upon the reader greatly mar the usefulness of the book. The use of italics to express the writer's emotion, and the intemperate display of personal dislikes we are accustomed to expect in the familiar correspondence of the school-girl, but hardly in a record of the results of scholarly work.

*Anselm and His Work.* By Rev. A. C. Welch. [The World's Epoch Makers.] (New York, Charles Scribner's Sons, 1901, pp. xiv, 251.) A sympathetic and scholarly presentation of the life and times of one of England's greatest ecclesiastics. The preface gives a critical survey of the literature including the chief sources. The introduction is a fine piece of work showing at the outset the clear and finished style, keen psychological analysis and wide historical comprehension which characterize the book throughout. Gems of thought and of criticism sparkle in every chapter.

The three great movements of the eleventh century, monasticism, papacy, with the relations of Church and State, and scholasticism, are exceedingly well treated. "St. Anselm as monk at Le Bec, as Archbishop of Canterbury and as author of the *Monologion* and *Cur Deus Homo*, bore his part in this threefold movement—and in no one man of the time is it possible to study its movement more purely than in him."



Sincere, unaffected, earnest and devout, he is at the same time bold and scholarly. Very well told is the romantic story of the founding of the Benedictine monastery of Le Bec in which Anselm professed as monk, taught as prior and ruled as abbot. His place in intellectual life and the justification of his position among "The World's Epoch Makers," are well expressed in the following passage: "Before Anselm's day, theologians were content to quote, and a citation from St. Augustine was sufficient to decide a question; after his day, they began anew to think for themselves."

The close association of the religious and intellectual spirit is one of the charms of his personality. His motto, "*Credo ut intelligam*," showed the higher reaches of his soul. His biographer does not seem to do justice to the famous ontological argument for the being of God, but in his criticism of Anselm's theory of atonement in the *Cur Deus Homo*, we have a remarkably fine piece of theological criticism.

There is a slight error in the account of Anselm's elevation to the archbishopric. The term "heriot," instead of "relief" is used of "the payment made to the King by a bishop on receiving his appointment."

The changed relations of Church and State, resulting from the Norman Conquest, brought about the famous investiture controversy in which Anselm was the central figure and of which we are given a most scholarly account. It is interesting to note that this great controversy affecting the relations of Church and State throughout all Europe was settled by Henry I. and Anselm in England in 1107, sixteen years before it was settled on the continent, and in practically the same way. Here "the character of Anselm had won the entire respect of the King, and had summoned into evidence all the best elements in his nature." But Anselm did not long enjoy his reward. He died in 1109. The book closes with an eloquent account of his beautiful departure from this life, and a fine estimate of his noble character and influence.

CHARLES L. WELLS.

Under the title *Renaissance Types* (New York, Longmans, 1901) Mr. W. S. Lilly has put together five essays on notable persons of the full Renaissance period, prefacing them with an introductory chapter on the "Genesis of the Renaissance" and adding a brief conclusion on the "Results of the Renaissance." The persons selected are Michael Angelo, the Artist; Erasmus, the Man of Letters; Luther, the Revolutionist; More, the Saint; Reuchlin, the Savant. There is an obvious attempt to make the reader feel that there is some unity of thought and purpose in the book, but it is difficult to see wherein this unity consists. The several essays are complete, each in itself. The style employed is that of the leader writer in journals of the superior sort. The author very frankly tells us the books he has read, all of them books of secondary value to the historian, and his sketches follow very closely in the lines of his reading. The essay on Reuchlin is obviously little more than a paraphrase of Geiger's biography, with the kind of padding which an

ingenious college student might employ in preparing a class "thesis." In each case we have, compressed into the narrow limits of an essay, an attempt at a biography, an analysis of the chief products of the genius in question, and some consideration of his place in the whole framework of the period. This is too much and too little. The effect is sketchy in the extreme, too broad for the scholar, too detailed for the general reader. The volume must be classed with the great mass of literature, concerning which we wonder why valuable time and expensive furnishing should have been devoted to so meager results.

*Time Table of Modern History, A.D. 400-1870*, compiled and arranged by M. Morrison (Westminster, Archibald Constable and Co.; New York, The Macmillan Co., pp. 159), is printed on strong, heavy paper, has pages about twelve inches high and fourteen wide, and contains parallel tables, genealogical tables, lists of rulers, a general chart of ancient and modern history, an index, and seven plates of maps. It is difficult to see just where this book can fit in for any general use on this side of the Atlantic. It is too inconvenient and expensive (\$3.50) to appeal to our average student; Ploetz or Hassall is likely to prove a more acceptable chronological guide to most persons; the genealogies and tables of monarchs are becoming more accessible in the usual text-books; the maps are inadequate; and the general chart, which compresses seventy centuries within a space about fifteen by twenty-two inches, surely cannot be of real advantage to any one. Nevertheless your reviewer recognizes that there are those who like tools of this sort. He does not feel that he knows any such persons among serious students of history, but he is willing to say that wherever they are they ought to know about Morrison's *Time Table*. E. W. D.

*Oliver Cromwell*. By Samuel Rawson Gardiner, M.A. (London, New York and Bombay, Longmans, Green and Co., 1901, pp. 319.) This brief biography appeared first in 1899 in the "Illustrated Series of Historical Volumes" published by Messrs. Goupil. It merited however a wider circulation than was possible in such an expensive edition and the text has been revised and reissued in a cheaper form without the illustrations. It is, I am inclined to believe, the most attractive of Mr. Gardiner's short works. It is different in scope from Mr. Firth's excellent volume on *Oliver Cromwell and the Rule of the Puritans in England* inasmuch as its manner of presentation, as one might gather from the titles, is more strictly biographical. Cromwell is the center of interest in every page and the author allows himself no digressions, yet it contains the main results of his investigations in so far as they bear directly upon Cromwell's career and character. It is a great advantage even for those who are familiar with these results to have them presented consecutively within so short a compass. It is however not a mere abridgment of the larger history. It is the same story told afresh with all the author's inexhaustible learning and felicity of expression,

though with the greatest possible brevity. Those who cannot find time to read all of the History will probably find this the best substitute. When Mr. Gardiner's views could be obtained only after the perusal of seventeen volumes, there was a weak excuse for those who ventured into the field in ignorance of them. Henceforth this will be unpardonable, as in truth it was before.

The frontispiece is a good reproduction of Cromwell's well-known portrait at Sidney Sussex College, Cambridge. The volume is attractively printed, but it has neither bibliography nor index. G. J.

*Cavalier and Puritan in the Days of the Stuarts.* By Lady Newdigate-Newdegate. (New York, Longmans, Green and Co., 1901, pp. xv, 367.) The author of *The Cheverels of Cheverel Manor*, has given us in this new volume, as her title-page declares, a book compiled from the private papers of Sir Richard Newdigate, second baronet, with extracts from MS. news-letters addressed to him between 1675 and 1689. The second baronet came above the political horizon but once, serving briefly as M.P. for Warwickshire under William III., and these pages contain, in consequence, little of importance to the student of Restoration or Revolution politics. There is, besides, no elaborate attempt made to portray the daily life and opinions of the baronet. Sir Richard's public life was brief, he was seldom if ever at court, he was not often in London. The chief event recorded in the account of his life and affairs is the amusing diary of his tour in France—to Paris and back. Yet for all that this is a pleasant and readable book not without entertainment and instruction. For by indirection Lady Newdigate has given us an admirable impression of the country baronet and his life and has shown us how little of the great strife between Crown and Parliament moved the country, how faint its echoes were even in the family of one whose house was searched for arms, and whose principles led many to suspect his loyalty. There are some letters from greater figures in the period but they are almost entirely personal. For the rest the news-letters supply an account of the times colored according to the political complexion of Sir Richard himself, and furnishing a thread of connection throughout the book.

In a monograph entitled *The Fallen Stuarts* [the Prince Consort Dissertation for 1900] (Cambridge, University Press, 1901), Mr. F. W. Head has added another to that brilliant series of historical essays for which Cambridge has in recent years been distinguished. In this book Mr. Head traces in outline the political fortunes of the House of Stuart between the years 1660 and 1748. This outline in its critical analyses and epigrammatic generalizations reminds one forcibly of the work of the founder of the Cambridge school of history, the author of the *Growth of British Policy*. Mr. Head also presents new evidence relating to the history of the Stuarts between the years 1700 and 1718. This he found in the papers of Cardinal Gualterio, papal nuncio at Paris during the first years of the eighteenth century, and afterwards protector for England at the papal court.

In the dispute over the Spanish succession Pope Clement had recognized the Bourbon, Philip of Anjou, as King of Spain, and on the 19th of December, 1702, a treaty between the three powers, France, Spain and the papacy was drawn up providing for the defense of the church. At the same time James Stuart was recognized as James III. of England, and plans were drawn up for the invasion of England either by a direct descent upon the English coast or by way of Scotland, as might seem most expedient. In the former case they were to be realized by armed force, in the latter, by the bribery of the Scotch Parliament.

After the battle of Blenheim, however, Louis had to concentrate his forces on defense; so the first plan became impracticable. And in 1707 the union of England and Scotland made the alternative plan equally impracticable. At the same time the rise of Jansenism in France and the growing influence of the Emperor in Italy, culminating in the treaty of 1709 between Pope and Emperor, led to the failure of Jacobite hopes of assistance from the papacy.

Finally, in April, 1713, by the Treaty of Utrecht Louis undertook to expel James from France; in August, 1714, George I., the ally and friend of the Emperor, ascended the throne of England, and in September, 1715, Louis XIV., the hereditary ally of the Stuarts died. These changes in the political situation made it necessary for James to seek new allies. But here, too, he was foiled; first in seeking an alliance with Catholic Germany through marriage with the daughter of Charles Philip, Prince of Neuburg; then in concluding a union with the House of Bavaria, the rival of the House of Hapsburg, and with the rising power of Russia through marriage with the Princess Clementina Sobieski.

These are points that are here set forth, either for the first time, or with fresh evidence.

W. D. J.

*Fénelon, his Friends and his Enemies.* By E. K. Sanders. (London and New York, Longmans, Green and Co., 1901, pp. 426.) As its title indicates, the work is not a biography of Fénelon. It contains a sketch of his career, and a detailed account of the religious controversies in which he took part. Considerable space is devoted to the characters of the Duke of Burgundy, of Madame de Maintenon and of others with whom Fénelon had to do. The book does not profess to give any new information as to Fénelon's career, there are few notes and those refer to no authorities more recondite than the correspondence of Fénelon and the *Memoirs* of Saint-Simon. We doubt, also, whether the author is especially familiar with the history of that period. For example, he says (p. 9) that Fénelon was born in 1651 when the wonderful reign of Louis XIV. was at its zenith. In 1651 Louis XIV. was a boy, the troubles of the Fronde were at their height, Mazarin was in exile, the power of the King was at a lower ebb than at any other period of his reign. The accounts of the religious controversies of the period are involved and unnecessarily long. Any interest which they once had is gone, importance they never possessed, and they can now be profitably treated with all possible brevity.

The best part of this book is the account of Fénelon's career as Archbishop of Cambrai, of his relations with his diocese, his correspondence with intimate friends, and with the many women who looked to him for spiritual enlightenment. Mr. Sanders treats the Archbishop with fairness and justice. He does not conceal the defects of a character which combined extraordinary elevation with many frailties. The ordinary reader would have been pleased to know more of Fénelon's life in his diocese, and would gladly have accepted less detail concerning his animosity toward the Jansenists, his controversies with Bossuet, and the interminable controversy over quietism.

In his own day Fénelon was thought to have failed in his career, because there fell upon him the shadow of the great King's displeasure; he spent twenty years at Cambrai with the gates of the Paradise at Versailles strictly closed against him. But for his reputation with posterity, his disgrace was great gain. It removed him from the devious paths of politics in which even he walked with difficulty. It enabled him to do valuable work in the diocese where his life was of necessity spent, and to leave a reputation which far excels that of his rival Bossuet. There was indeed the possibility that Fénelon might have exerted a great influence on the French monarchy if the Duke of Burgundy had survived his grandfather and become King of France, but it is by no means sure that such an opportunity would have increased Fénelon's usefulness or added to his permanent fame.

JAMES BRECK PERKINS.

The publication of a new and enlarged edition of *Italian Characters in the Epoch of Unification*, by Countess Evelyn Martinengo Cesaresco (New York, Charles Scribner's Sons; London, Unwin), deserves mention here. The author, who is the English wife of a Lombard noble, was most fortunately placed for getting an intimate acquaintance with the lives of several of her subjects. As a biographer, she has rare skill. The persons she describes are Sigismondo Castromediano, Bettino Ricasoli, Luigi Settembrini, Giuseppe Martinengo, Daniele Manin, the Poerios, Constance d'Azeglio, Goffredo Mameli, Ugo Bassi, Nino Bixio, and the Cairolis. The list embraces men from all parts of the peninsula, of different classes, and widely differing forms of service to the national cause. As a secondary source of information for the historical student, Countess Cesaresco's volume has high value; the general reader will find it unfaillingly interesting. The sketch of Castromediano is new.

W. R. T.

Mr. Thwaites's edition of the *Jesuit Relations* is now concluded by the publication of the index, which adds to the series Vols. LXXII and LXXIII. Regarding the need, in such a case, of a thoroughly good index, little need be said. We shall rest content with stating that one has been provided. Of course, this means great labor and the avoidance of commonplace shortcomings. The three vices of index-makers are lack of general intelligence, lack of system, and unscrupulous haste. Fortu-



nately, Mr. Thwaites and his staff shine where others sin. We have never seen better work of the kind; seldom have we seen anything so good. Certainly we have never seen an index which equals this one if grandeur of scale be considered together with excellence of results. The last four volumes of Migne's *Patrologiæ Cursus Completus* deal with an even wider field and with a more difficult problem, but they are far less perfect as an analysis of contents. It is no boast to say that this country has a better grasp of library methods than can be found elsewhere, and the present index bears witness to the value of classification as it is worked out by modern librarians. The dictionary system has been followed throughout and in the arrangement of details Mr. C. A. Cutter's *Rules for a Dictionary Catalogue* is made the guide. To describe the elaborate subdivision which occurs under important headings like "Indians," "Canada," "Jesuits," and "Quebec," would be to write a separate article on a single aspect of the series. According to proverb, "the end crowns the work." The set of the *Jesuit Relations* is crowned not only by the end but by the index.

The handsome folio volume entitled *History of the United States Capitol*, Vol. I., by Glen Brown (Washington, Government Printing Office, 1900) deserves a word of appreciation here, even though in general it will appeal to the architect and the engineer rather than the historian. In addition to a short and appropriate introduction by Charles Moore, it contains twelve chapters; the first dealing with the selection of sites for Federal buildings; the second with the designs for the capitol. The following chapters treat of the work of the successive architects and builders, and describe very briefly the decorations of the building which, as Rufus Choate declared, is the only temple America has built. One chapter is rightly given to the history of the architects of the old capitol. The book is illustrated by 136 plates, maps and pictures, all beautifully executed, showing the gradual development and the various changes of the structure. "Only original documents," says the author in his preface, "have been used in the preparation of the work, and old drawings have been reproduced as they exist to-day without any effort being made to work them over so as to produce more pleasing results." He has been for ten years engaged in the task of collecting material for this work and deserves the highest commendation for his unwearied toil in collecting the scattered documents, many of which without his efforts would soon have disappeared beyond recall, and for the highly intelligent manner in which he has carried out his undertaking. The second volume bringing the history down from 1857 to the present time is expected to appear soon.

*The Foundations of American Foreign Policy*, with a working Bibliography. By Albert Bushnell Hart. (New York, The Macmillan Co., 1901, pp. xi, 307.) This book is a reproduction with some revision of articles which had already appeared in magazines and reviews and had attracted public attention. We are glad to see them collected in a volume,

for they present to us in a terse form and in a vigorous and sprightly style chapters in our history to which the events of the last three years have lent especial interest.

In these days when so many who are unfamiliar with the details of our history are endeavoring to persuade us that our nation has led a life of isolation and that it should never abandon such a life, it is well to have so competent an historical scholar as Professor Hart point out how often we have touched European and Asiatic life, and how our influence has been felt in all the Spanish-American states. Our various boundary controversies, our numerous military expeditions into foreign parts, the complications about Cuba for a century, our acquisition of Florida, of our trans-Mississippi empire and of Alaska are described with a conciseness and clearness which are admirable. The author has a remarkable power of setting forth the salient and controlling events of a crowded era, while omitting the lesser details. Thus with brevity he gives the reader a vivid and rational idea of the period under consideration.

In the fifth chapter he gives such a definition of the word "colony" that he regards himself as justified by it in treating our territories as colonies. This will probably be regarded by many as a forced use of the term. None the less, his review of our solution of territorial problems is illuminating. Especially is his rehearsal of the facts of the Louisiana Purchase and of the organization of the territory suggestive to those who insist that to annex and govern territory "without the consent of the governed" is in flat contradiction of American principles and policy. The arguments advanced in Congress against the annexation of Louisiana sound like a rehearsal for the arguments by which the annexation of the Philippines has been opposed. The chapter, which traces the evolution of the present form of the Monroe Doctrine from its beginning in 1823, closes with a reasonable statement of the interpretation of it which will safeguard our interests on this continent. The final chapter, giving a tentative bibliography of American diplomacy, will be very helpful to students of that subject in the thorough handling of which so much remains to be done.

JAMES B. ANGELL.

Mr. Louis Houck *The Boundaries of the Louisiana Purchase, A Historical Study* (St. Louis, Phillip Roeder's Book Store, 1901, pp. 97), is the champion of Louisiana "with the same extent that it now (1800) has in the hands of Spain, and that it had when France possessed it, and such as it should be after the treaties subsequently entered into between Spain and other States." This extent he finds to be included within the line of the Mississippi from its source to the 31st parallel; this parallel to the Apalachicola; the Apalachicola to the Gulf (p. 18); the Gulf, including Texas with indefinite southwestern boundaries (p. 31); the "Mexican Mountains" to the 42nd parallel (p. 42); this parallel to the Pacific (p. 84); the Pacific to the 49th parallel, this parallel to its intersection with the line drawn from the Lake of the Woods to the source of the Mississippi, and this line down to the said source (pp. 37, 88).



The book is not an independent contribution to the subject of the Louisiana Purchase boundaries. It is rather a brief based on the best primary and secondary authorities in behalf of the maximum extension of these boundaries. The occasion of the publication is the approaching celebration of the centenary of the purchase; and its purpose is to magnify and idealize that event. Jefferson acquired from France boundary disputes with Spain, England and Mexico—happily settled to our advantage—a great extent of territory, and vast possibilities of national grandeur.

F. W. M.

The *Souvenirs du Général Comte Fleury*, tome II., 1859–1867 (Paris, Plon, Nourrit et Cie., 1898, pp. 393) is, to no small extent, the special plea of a close friend and firm adherent of Napoleon III., written with the avowed object of correcting what impresses an ardent Imperialist as the numerous mistakes of historians. Bearing in mind the personal element, as well as the author's dynastic prejudices, the discriminating reader will find in this volume much of interest, and not a little of historical worth; for General Fleury occupied a sufficiently prominent position to give value to his memoirs. The largest and most important single part consists of the chapters devoted to Italian affairs.

Imbert de Saint-Amand in his *Napoleon III. at the Height of his Power* (New York, Scribner, 1900, pp. 305) deals with but a single year of the Second Empire, 1860; a large number of subjects pass in review, and the trivial seem to occupy as much space as the important, in short chapters of quite uniform length, six to eight pages each. The book is attractive reading and affords a pleasing change from more substantial histories, but at best it is hardly more than high-grade journalism. The last five chapters incline one to the view that, however it may be in other parts of the world, in China history repeats itself, since the account of Chinese affairs in 1860 would need but slight modification to serve as a description of the occurrences of forty years later.

It is not an easy matter to characterize properly Mr. Robert H. Browne's *Abraham Lincoln and the Men of His Time* (Cincinnati, Jennings and Pye; New York, Eaton and Mains, 1901). A plain presentation of the merits of the work would appear injudicious and too drastic to be true. The two volumes contain over 1200 pages, a considerable portion of which is given over to startling declamation, and the remainder to a narrative, not too accurate or well arranged, of the historical events during the years of Lincoln's activity. Mr. Browne seems to have known Lincoln personally, and it may be that some of the anecdotes which are gathered into the volumes are of value. Some notion of the method may be gained from his picturesque and alliterative denunciation of the court that gave forth the Dred Scott decision as a "sleepy and slavery smitten council of Constitutional relics." A book which begins with chapters filled with florid paragraphs descriptive of the virtues and vices of all the heroes of humanity from Moses down to the last "Savior of America" cannot be taken too seriously.

*American History Told by Contemporaries*, Vol. IV., *Welding of the Nation, 1845-1900*. (New York, Macmillan, 1901, pp. xxi, 732.) With this fourth volume Professor Hart completes his well-planned and exceedingly useful series. More than two hundred good pieces are embraced in the volume. They come from official documents and speeches, from correspondence and reminiscences, from travellers and observers and critics, from satirists and poets. There are more extracts from official documents than in the previous volumes, and these have evidently presented serious difficulties because of the diffuseness of American official writing; but these difficulties have been well overcome, and it is right to assume that the pupils who will use the series will have a stronger digestion for public documents by the time they have reached in their studies this later period. Neither has the inclusion of such material kept the editor from a due representation of the livelier illustrations of history, at least for the period before 1869. Hardly anything could in fact be better than Dr. Hart's array of extracts for the period from the secession of South Carolina to the inauguration of Grant. Almost exactly half the book is given to these years. They are illustrated by arguments, portions of diplomatic correspondence, military reports, the narratives of individual commanders, soldiers and chaplains, vivid descriptions of the social effects of war, letters of foreign and American newspaper correspondents, bits of satire, poems and songs. It must be a rare teacher of history, to say nothing of students, who does not learn useful things from this part of the book.

All this, it must be confessed, is won somewhat at the expense of the ensuing period. The events and arguments, and even the speculations, of the last three years, are indeed duly recorded. But the quarter-century from 1873 to 1898 receives but scanty illustration, and that for the most part in purely political respects. Yet these twenty-five years were of vast importance in our social history. The immigration of ten million Europeans within those years, the agricultural occupation of land represented by a hundred and forty millions of acres of homestead entries, the outcroppings of social discontent, the gangrene of our city governments, the wonderful advance of education—all these are of more consequence than many conspicuous events at Washington and elsewhere. Mr. Hart has shown himself fully alive to the importance of such movements in earlier times. And they can be illustrated, though not with the same ease and completeness as the social movements of a hundred years ago; for instance, by some Castle Garden scene, some description of the rush to Oklahoma or of less spectacular agrarian developments, some exposition of populism, of the Chicago riots, or Tweed's Saturnalia.

But in all books of selections it is easy to make suggestions, and hard to satisfy everybody; and the fact remains that Professor Hart's series is admirably devised and exceedingly well carried out. It is difficult to exaggerate the good these four volumes are destined to do, especially in schools, by making American history more vivid and more interesting, and by familiarizing the pupil with other points of view than that of his text-book.

J. F. J.

*Reminiscences of a Mississippian in Peace and War.* By Frank A. Montgomery. (Cincinnati, Robert Clarke Co., 1901, pp. xvi, 305.) This work consists chiefly of the personal recollections of a Mississippi planter to whom age has brought leisure and inclination to write. The author served through the Civil War as lieutenant-colonel of the first Mississippi cavalry, was captured at Selma in April, 1865, subsequently served a number of terms as a member of the state legislature, and more recently occupied a place on the bench. He disclaims any purpose of attempting to write a history of Mississippi or of the Civil War, but says his aim is the more modest one of recording the military operations of his regiment which, as a part of Armstrong's Brigade, saw active service in Mississippi, Alabama, Georgia, and Tennessee. Every man of the regiment was either killed, wounded, or captured; and Colonel Montgomery's ambition has been "to narrate their deeds in the belief that the story will be of some value to the future historian of the war." His undertaking is commendable and seems to have been executed carefully and impartially.

Preliminary to the discussion of his main theme, Mr. Montgomery gives some interesting pictures of Southern life before the war, among which may be mentioned modes of travel in the country, old-fashioned barbecues, the custom of settling personal grievances on the field of honor, militia drills, shooting matches, camp-meetings, trade with the Indians, etc. There are also some portraiture of prominent men drawn chiefly from personal acquaintance, for during his long life, the author has known most of those in Mississippi whose names are remembered by the general student of American history. He remembers having heard Prentiss in two of his best orations and that he listened to some of the debates between Davis and Foote in the great union contest of 1851. Candor compels him to say that he thought Foote the superior man. General Forrest he knew well. Mr. Montgomery says of him: "Without a uniform, and this did not much change him, he looked like an old country farmer. His manner was mild, his speech rather low and slow, but let him once be aroused and the whole man changed. His wrath was terrible and few if any dared to brave it." The story is not entirely free from criticism of confederate policies. He thinks the appointment of Pemberton to the command of Vicksburg an unpardonable blunder, and concerning the policy of deluging the army with higher officers, he says somewhat sarcastically: "It seemed to me as our army grew smaller and companies and regiments were from time to time consolidated, the crop of brigadiers increased and the same may be said of all the generals. We had enough, I think, when the war ended to supply an army five times as large as ours was." The author relates some extraordinary local incidents of the Reconstruction period which could, perhaps, be duplicated in a good many other counties of the state.

JAMES WILFORD GARNER.

A new and revised edition of Samuel Adams Drake's *A Book of New England Legends and Folk Lore* has been published (Boston, Little,

Brown and Co., 1901, pp. xvi, 477). It contains nearly a hundred tales, poems, legends and traditions which have grown up in New England and have grown out of New England life. Some of them are familiar to the sober student of history; others without basis in fact may have quite as much importance as reality. Perhaps what men talk about or believe is quite as important as what actually occurred. The volume is likely to prove helpful to teachers of secondary classes in American literature and history. The illustrations will add to its usefulness in this particular.

*Early History of Vermont.* By Lafayette Wilbur. (Jerico, Vermont, Roscoe Printing House, 1900, two vols., pp. 362, 407.) The *raison d'être* of this work is told by the author as being the expansion of an address, but to the critic it appears as an attack of *cacoëthes scribendi*, which Mr. Wilbur could not resist, for he tells us nothing new; what he has to report is badly arranged and badly written; nor does it seem good taste to add as one of the chapters so-called humorous sayings, clipped from newspapers and classified in the table of contents as "Wit and Humour," or to close both volumes with lists of state officials down to the year of publication, when the title of the book calls it an early history.

B. FERNOW.

*The Story of Manhattan.* By Charles Hemstreet. (New York, Charles Scribner's Sons, 1901, pp. xvi, 249.) The island of Manhattan and the events which have made it in three hundred years the chief part of one of the greatest of cities afford wide scope for attractive story. This volume presents the well-known facts in a style simple to quaintness. The author starts with the coming of Henry Hudson from Holland in the "Half Moon," and ends with the establishment of Greater New York. He adopts the unusual method of citing few dates in the text, but he attaches them to the chapters covering the respective incidents and adds a table of events. The actual story occupies less than two hundred pages duodecimo, and is sketched in rapid outline. Except those of the early governors, very few names are introduced, although Manhattan has always been noted for persons of rare qualities and high achievements. Thus not one of the "fiery Sons of Liberty" is named, while the truth is told that their fight with British soldiers in January, 1770, on Golden Hill, was "the first real battle of the American Revolution." The author's estimates of the Dutch governors do not err on the side of excessive praise. A kindlier spirit is shown towards several of the English governors, beginning with Nicolls, concerning whom the story is that "all the citizens said the new Governor was a fine man." The greed for land and fees on the part of others is not forgotten. Leisler, a brave, patriotic governor, not always wise, executed in partizan rage for alleged treason, and before many years declared innocent, is fairly treated. The sketch of New York as the national capital is well drawn in brief space. The definite location of the sites of historic events is to be commended. One-fifth of the pages



is devoted to illustrations, many interesting because copied from old prints and wood engravings.

ELLIS H. ROBERTS.

The *History of the Central High School of Philadelphia* by Frankl Spencer Edmonds (Philadelphia, Lippincott, 1902) is, naturally, of interest chiefly to students and alumni of the school, but it has also significance and value as a study in educational and social history. It contains a short sketch of the development of public education in Pennsylvania, tells the story of the establishment of the high school, sketches the life and characters of those who have been most useful in its service, and traces the steps in the progress of the school from its establishment in 1836 to the present day. The book is well and, one would say from its appearances, accurately written, bearing the marks not only of careful work but of the exercise of judgment and discretion in the use of material. Such studies as this enable the writer of history to reach a juster estimate of municipal progress than he could attain by confining his attention to the jobbery of councilmen and the devious ways of the spoilsmen.

Number 10 of Series XIX. of the Johns Hopkins Studies in Historical and Political Science (Baltimore, Johns Hopkins Press, 1901, pp. 57) is devoted to a *Life of Commissary James Blair, Founder of William and Mary College*, by Daniel Esten Motley. The author, who has evidently exploited faithfully the sources on his subject, has done a useful work in bringing together information hitherto scattered and in part difficult of access. The form of presentation, however, leaves much to be desired; unity is sacrificed by his method of treating under three separate heads: "Blair's Religious Work; Blair as the Founder of William and Mary College; Blair's Connection with the Government." The style is unformed and jejune.

A. L. C.

*The Transition Period of California from a Province of Mexico in 1846 to a State in the American Union in 1850.* By Samuel H. Willey, D.D. (San Francisco, Whitaker and Ray Co., 1901, p. 159.) The author of this small volume resided at Monterey, California, in 1849, when it was the capital of the territory and the headquarters of the United States army. Hence, he was brought into contact with the stirring events relating to the conquest of California and its admission as a state, and his interest in these early scenes caused him to collect material for the present volume. The book recites the incidents relative to one of the greatest history-making events connected with the expansion of the boundary of the United States, an event second only in importance to the Louisiana Purchase, which, without prompt action on the part of the United States and the special activity of its officers and agents, might have taken a decidedly different turn. Dr. Willey has given us a condensed statement of the facts incident to the establishment of United States rule in California and the subsequent admission of the state into the Union. He relates carefully and accurately the operations of Fremont and Kearney and of Commodores Stockton and Sloat. He des-

cribes the conquest of the territory, the constitutional convention, the admission of the state, and gives many minor details of California history. The boundary question and the discussion in Congress over the admission of California receive a fair share of attention from the author.

One of the chief merits of the book is the clear exposition of the various movements for the possession of the territory. It is difficult to see how the history of these four eventful years could have been more clearly or fairly presented. Dr. Willey shows quite conclusively that Fremont exceeded his orders in the Bear Flag movement, and that he and Commodore Stockton both assumed unusual prerogatives in the conquest of the territory. It is also shown that the Bear Flag movement was not essential to the conquest of the country. While this is a correct version of history, it appears to the reviewer that the critic or the government should not have been too severe on these two commanders, for had not the government's plan for stealing the country in an orderly way succeeded, without doubt the United States would have been glad that the officers exceeded their orders and took possession of the country. The possession of Texas, the Mexican War and the seizure of California will not bear the closest scrutiny from one who is seeking justice between nations. The difficulty with Fremont and Stockton seems to have been that they moved too rapidly and too injudiciously to keep pace with the general plan of the government to deprive Mexico of her possessions. It is right for a nation to take possession of half a continent, if it can be done properly and in order; but let the individual beware how he attempts it single-handed, even though he does it for his beloved country. At least where it takes five months for the government to communicate with an officer in the field he should be given large discretionary powers.

The division of the book into numerous short paragraphs gives it a statistical appearance and renders it less attractive than it would have been had the author been more careful of his style. There is however unmistakable accuracy in the categorical statements and the clearness is noteworthy.

F. W. BLACKMAR.

*Views of an Ex-President* is the title given to a collection of essays and addresses by Benjamin Harrison (Indianapolis, The Bowen-Merrill Co., 1901, p. 527). The book seems to answer satisfactorily the question as to what should be done with our Ex-Presidents, the question which Mr. Harrison more than once discusses himself, half ironically, in the course of the volume. We should have difficulty in devising a better occupation for the time of a statesman who has retired from active participation in affairs than preparation of papers like these, all of them dignified and thoughtful, some of them showing scholarship at least in the domain of politics and law, others again bold statements of principle on current questions of vital interest. The first six papers, lectures delivered at Stanford University, are in the field of constitutional history. The seventh is called "The Status of Annexed Territory and of its Free Civilized Inhabitants," an address given at the University of Michigan, one

of the most noteworthy treatments that vexed subject has received, perhaps the most cogent presentation of the anti-imperialistic policy. The "Musings on Current Topics" which were published in the *New American Review*, are also here given, as well as the address entitled "Some Hindrances to Law Reforms." If we cannot review these late papers as contributions to history, we may assert that they will be of great value to the historical student of the next generation, and that the frank and high-minded discussion of present problems is a fitting bequest from an Ex-President to his fellow-citizens.

*The Government of the American People*, by Frank Strong and Joseph Schafer (Boston and New York, Houghton, Mifflin and Co., 1901, pp. viii, 250) is an elementary text-book on civil government, laying special stress on the historical aspects of institutions, and intended primarily for the higher classes of grammar schools. There is need for a book of this kind, and the authors have written one which should be of service. Local and national governments are well treated, in the space available; and the chapters on county government in Oregon and town government in Wisconsin adapt the book particularly for use in those states. County government under the New York and Michigan supervisor system is, however, but slightly mentioned. On the other hand, the treatment of state government is emphatically inadequate. This division of the subject is covered in 28 pages; while more than half of these are on the colonial period, and half of the remainder on the Virginia constitution of 1776, leaving but 5 pages for describing existing arrangements. Only the barest outline of state organization is given, and absolutely nothing is said of the powers and importance of the state governments.

The authors have made good use of recent and reliable secondary authorities; and the details are generally satisfactory. Some phrases are, however, liable to mislead, and a few statements are clearly inaccurate—for example: "the island of Britain, now England" (p. 8); the Supreme Court is said to be a necessary accompaniment of a written constitution "to determine whether the acts of ordinary legislation . . . conform to it" (p. 164); the Philadelphia charter of 1701 is said to be the first.

JOHN A. FAIRLIE.

*India Old and New* by E. Washburn Hopkins (New York, Scribner, 1901) is one of the "Yale Bicentennial Publications." It contains a number of essays most of which have been previously published in periodicals. Some of the articles have been enlarged or otherwise modified since their first appearance. They cover a variety of topics, some of them dealing with India of the present day, others with the early history and literature of the Hindus. The two which will be of chiefest interest to the historical student are "Ancient and Modern Hindu Guilds" and "Land Tenure in India."



## NOTES AND NEWS

Samuel Rawson Gardiner, the distinguished English historian of the Puritan Revolution, died at London, February 24, at the age of seventy-two. He was educated at Christ Church, Oxford, and became Professor of modern history at King's College, London. His fame was gained by his steady adherence for forty years to the work on his monumental history of England from 1603-1660. The earliest volumes appeared in 1863, the last in 1901, and he was laboring on another at the time of his death. Besides the seventeen volumes in this series he produced a number of other historical works, many of them by-products, such as *Oliver Cromwell*, 1899; *Cromwell's Place in History*, 1897; *What Gunpowder Plot was*, 1897; *The Thirty Years' War*, 1874; *The First Two Stuarts and the Puritan Revolution*, 1876; and in addition a number of text-books on English history, the best known being his widely used *Student's History of England*, in three volumes, 1890-1892. He was joint author with J. B. Mullinger of the *Introduction to the Study of English History*, 1881. Comment upon his career or commendation of his work seems almost superfluous. His writings have given him a place of honor among the world's great historians; they are marked by accuracy in details, by unusual absence of narrowness and prejudice, and by grasp of essential principles. It is not too much to say that he came as near the ideal of modern historical scholarship as any writer of the nineteenth century.

The exceptionally long list of historical scholars that have died in the course of the winter includes some of the best known names of continental Europe. On November 29 and December 6, respectively, occurred the deaths of Gottfried Gengler and Karl von Hegel. Both were professors at Erlangen and both had worked mainly on the history of the towns. To the former we are indebted especially for the beginning of a *Corpus Juris Municipalis Germanici*; unfortunately it was never carried beyond the first volume. Most prominent among Hegel's contributions were the *Geschichte der Städteverfassung von Italien*, constitutional histories of Köln and Mainz, the *Städte und Gilden der germanischen Völker*, and his efficient work as editor in the preparation of the series of *Deutsche Städtechroniken*. Franz Xaver Kraus, theologian, archæologist, essayist, art and church historian, and professor at Freiburg, died at San Remo, December 29. He is known particularly by his *Lehrbuch der Kirchengeschichte*, *Roma Sotteranea*, *Real-Encyclopädie der christlichen Altertümer*, and the "Spektator" letters in the

[The Department of Notes and News is under the general management of Earle W. Dow and Theodore C. Smith.]

*Beilage* of the Munich *Allgemeine Zeitung*. Also from among the Germans have gone the well-known Sanskrit scholar, and editor of *Indische Studien*, Professor Albrecht Weber, of the University of Berlin ; and Professor Paul Scheffer-Boichorst, of the same university, whose work as lecturer, critic and examiner will be remembered by many American students. From Leyden comes announcement of the death of Professor Cornelis Tiele, who has written many books upon the comparative history of religion ; and from Florence that of Professor Cesari Paoli, editor of the *Archivio Storico Italiano* and author especially of the *Programma Scolastico di Paleografia Latina e di Diplomatica*.

Benjamin Franklin Stevens, the well-known bibliographer and student of Americana in foreign archives, died March 6, in London. He was born at Barnet, Vermont, in 1833. From 1860 to the time of his death he was associated with his brother, Henry Stevens, in the book trade in London, where he also served for many years as despatch agent for the United States government and purchasing agent for American libraries. His great contribution to American history was through his study of documents relating to the Revolutionary period in English, French and other archives, a work which has been of extraordinary persistency and thoroughness. As a result of his researches twenty-five volumes of facsimiles of such documents were printed, besides a number of volumes of special collections relating to single episodes of military history. He calendared for the English historical manuscripts commission the Dartmouth papers, which contain a great deal of valuable information relating to American history. He was engaged at the time of his death on the papers of Generals Howe, Clinton and Carleton, and a mass of papers relating to loyalists.

James Bradley Thayer, Weld Professor of Law in Harvard University, died February 14, at Cambridge. He was born at Haverhill, Massachusetts, January 15, 1831, and graduated from Harvard College and the Harvard Law School, in the last of which he has been professor since 1873. Mr. Thayer held a leading position among American jurists, especially in the field of constitutional law. His point of view was noticeably historical ; while his published works were preëminently legal in character they were also contributions to historical knowledge. His writings include *Origin and Scope of the American Doctrine of Constitutional Law*, 1893, *The Development of Trial by Jury*, 1898, and *A Preliminary Treatise on Evidence at the Common Law*, 1898.

Horace E. Scudder, connected for many years with the firm of Houghton, Mifflin and Company, died January 11, at Cambridge, Massachusetts. Besides editing the *Atlantic Monthly* for a number of years and publishing many juvenile books, he wrote a life of Washington, two school histories of the United States, *Men and Manners in America a Hundred Years Ago*, and edited the "American Commonwealths" series of state histories.

J. W. Dean, who was born March 13, 1815, and died January 22, at

Medford, Massachusetts, was for twenty-seven years the librarian of the New-England Historic Genealogical Society and author of a large number of obituary memoirs of its members.

The death is announced of Sir G. W. Cox, author of a *History of Greece*, *British Rule in India*, *Life of Bishop Colenso*, *The Crusades* (in the Epoch Series), and of numerous other works, especially on mythology.

The Presidency of the University of Maine has been filled by the appointment of George Emory Fellows, recently Assistant Professor of European History in the University of Chicago, and formerly of Indiana University.

Professor H. Morse Stephens, of Cornell University, has accepted the position of Director of University Extension and Professor of History at the University of California.

Professor Charles H. Haskins, of the University of Wisconsin, has accepted a call to a professorship in European history at Harvard, beginning next September.

Professor Ephraim D. Adams, who has held the chair of European History at the University of Kansas, has been appointed to a position at Leland Stanford Jr. University.

Professor Lucy M. Salmon, of Vassar College, will shortly publish *History, Suggestions as to its Study and Teaching* (Macmillan). On February 27, at Chicago, before the National Society for the Scientific Study of Education, she presented a paper on "Some Principles in the Teaching of History," which was the basis of a general discussion on the subject.

The address delivered by Professor J. Franklin Jameson, at the fortieth convocation of the University of Chicago, has been published in the January number of the *University Record* (Vol. VI., No. 40), under the title: "The Influence of Universities upon Historical Writing."

The *Revue de Synthèse Historique* for October contains the first installment of a French translation, by Léon G. Pélissier, of one of the essays in Professor Pasquale Villari's *Scritti Vari* (1894): *L'Histoire est-elle une Science?* In the same general field also is a criticism of Dr. Helmolt's new world history, *Étude Critique sur une Nouvelle Histoire Universelle*, by A. D. Xénopol.

*The Regions of the World* is the title of a new geographical series, which will consist of twelve volumes descriptive of the physical environment of the nations. The first volume, *Britain and the British Seas*, by the editor of the series, J. H. Mackinder, is the only one published so far. The next to appear will be *The Nearer East*, by D. G. Hogarth (London, Heinemann).

Professor William A. Dunning's *History of Political Theories, Ancient and Mediæval*, appeared recently. It covers the period from the beginning of Greek speculation to the first years of the sixteenth century (Macmillan).

The correspondence of Taine, which is said to relate less to the facts of his life than to his views and ideas, is being prepared for publication in Paris. There will be at least three volumes, which will be issued at intervals of a year.

Another series of school histories is announced, this time by Messrs. Allyn and Bacon. Dr. Charles Kendall Adams is the general editor. He and Professor Wm. P. Trent, of Columbia University, will contribute the volume on the United States; Professors C. M. Andrews, of Bryn Mawr College, F. C. Hicks, of the University of Cincinnati, and Victor Coffin, of the University of Wisconsin, will write respectively on England, France and Germany; and Professor W. M. West, of the University of Minnesota, is to provide two volumes, one on ancient and the other on modern history.

#### ANCIENT HISTORY.

Mr. G. B. Grundy, university lecturer in classical geography at Oxford, has written a substantial volume on *The Great Persian War and its Preliminaries*, in which he treats of the relation between the Greeks and the oriental monarchies prior to the year 490 and deals in detail with the campaign of Marathon and with that of the years 480-479. The book is illustrated with maps, photographs and sketches of the main sites of interest (Charles Scribner's Sons).

A new collection of inscriptions is in course of publication at Rome (Loreto Pasqualucci), edited, in four volumes, by Professor Hector de Ruggiero, of the University of Rome: *Dizionario Epigrafico di Antichità Romane*. Its aim is to bring together all inscriptions "of interest" left to us from classical antiquity, at less cost than in former collections and in such form that they can be used by those who have not an exhaustive knowledge of epigraphy. To this latter end the abbreviated parts of the inscriptions will be filled in, and wherever possible lost parts will be restored.

Messrs. Constable announce *Tiberius the Tyrant*, by J. C. Tarver, as a biography which throws light on the process by which the Roman Empire was developed from the Republic.

Dr. Otto Seeck, after a long interval, has published the second volume of his *Untergang der antiken Welt*. This work, it is announced, will be completed in about four volumes.

An outline of the history of the Roman occupation of North Africa, based chiefly upon inscriptions and monumental remains in that country, entitled *Roman Africa*, has lately been published by Longmans, Green and Co.

Close upon Professor Dill's *Roman Society in the last Century of the Western Empire* comes a volume by Mr. T. R. Glover which deals with nearly the same world: *Life and Letters in the Fourth Century* (Cambridge, University Press).

Principal R. Rainy has contributed to the "International Theolog-

cal Library" a considerable volume on *The Ancient Catholic Church*. It embraces the period from the accession of Trajan to the Council of Chalcedon (London, Clark).

Noteworthy articles in periodicals: H. H. Howorth, *The Later Rulers of Shirpula or Lagash*. Part I. (English Historical Review, January); *The Future of Greek History* (Quarterly Review, January); Gaston Boissier, *Le Jugement de Tacite sur les Césars* (Revue des Deux-Mondes, December 1); A. Harnack, *Gemeindebildung und Bisthum in der Zeit von Pius bis Constantin* (Sitzungsberichte der königlich preussischen Akademie der Wissenschaften, November 28); H. B. Swete, *Eucharistic Belief in the Second and Third Centuries* (Journal of Theological Studies, January); *The Holy Eucharist: an Historical Inquiry*. II. (Church Quarterly Review, October).

#### MEDIEVAL HISTORY.

M. Charles Diehl sets forth, in the *Revue de Synthèse Historique* for October, the present condition of studies in Byzantine history: *Les Études d'Histoire Byzantine en 1901*.

Among the most interesting recent announcements is the *Histoire des Maîtres Généraux de l'Ordre des Frères Prêcheurs*, by D. A. Mortier, of the same order. His plan is to take up each master-general, study his personality thoroughly, follow him step by step in his government and set forth the chief features of his influence in the order and in the church. The work will comprise five or six volumes. The first, which is promised for November, will treat of the first six masters-general (1216-1283) (Paris, Picard).

Noteworthy articles in periodicals: Maurice Dumoulin, *Le Gouvernement de Théodoric et la Domination des Ostrogoths en Italie d'après les Œuvres d'Ennodius*. I. (Revue Historique, January); Paul Scheffer-Boichorst, *Die Erhebung Wilhelms von Baux zum Könige des Arelais* (Sitzungsberichte der königlich preussischen Akademie der Wissenschaften, December 12); L. Froger, *Une Abbaye aux XIV<sup>e</sup> et XV<sup>e</sup> Siècles: L'Abbaye de Saint-Calais* (Revue des Questions Historiques, January); Anatole France, *Le Siège d'Orléans (1428-1429)* (Revue de Paris, January 1-March 1).

#### MODERN HISTORY.

Lord Acton has been compelled by ill-health to relinquish the editorship of the "Cambridge Modern History," and this work has been entrusted to Dr. A. W. Ward (who will be editor-in-chief), Dr. G. W. Prothero and Mr. Stanley Leathes. The new editors will adhere as far as possible to the plans arranged by Lord Acton. The first volume of the work is promised for the autumn at the latest.

An important contribution to the history alike of France and of Geneva in the time of Henry IV. is made by M. Francis de Crue in *Relations Diplomatiques de Genève avec la France. Henri IV et les Députés de Genève, Chevalier et Chapeaurouge*, published in "Mémoires et Docu-

ments de la Société d'Histoire et d'Archéologie de Genève," vol. XXV., and also separately (Paris, Picard). It may be noted also that the nineteenth volume of *Quellen zur Schweizer Geschichte* is made up of documents concerning France and Switzerland two centuries later: *Les Relations Diplomatiques de la France et de la République Helvétique, 1798-1803* (Basle, Geering).

Mr. Arthur Hassall's edition of Dyer's *History of Modern Europe* is now completed, with the appearance of the sixth volume (Macmillan).

Attention may be called to a new weekly journal, *L'Europeen*, directed by MM. Van der Vlugt and Charles Seignobos. Its aim is to inform the public, with freedom and impartiality, upon national and international matters of a political order.

Noteworthy articles: Paul Bailleu, *Die Verhandlungen in Tilsit (1807)*. *Briefwechsel König Friedrich Wilhelm's III. und der Königin Luise* (Deutsche Rundschau, January and February).

#### GREAT BRITAIN AND IRELAND.

The Oxford University Press will publish immediately a *Companion to English History*, edited by Mr. F. P. Barnard. The book is made up of a dozen sections, on such subjects as architecture, town and country life, and monasticism, written by Dr. Jessopp, Professor Oman, Professor Rait and others. Needless to say it is designed especially for educational purposes.

Some of the most characteristic and valuable utterances of the late Bishop of London have been edited by Mrs. Creighton, under the title *The Church and the Nation: Charges and Addresses* (Longmans). At least one of the papers, that on "Papal Dispensations," is of special interest to historical students.

The *Ancestor*, an illustrated quarterly review just founded in England, will be devoted especially to county and family history and to heraldry. It will aim to make itself the central authority on these subjects.

Messrs. Longmans have lately published a work entitled *Tribal Custom in Anglo-Saxon Law*, by Dr. Frederic Seebohm. It deals with the Anglo-Saxon laws from the point of view of tribal custom, and the result bears especially on the social position of the twelf-hynd and twy-hynd classes and of the Anglo-Saxon ceorl.

The *Calendar of the Patent Rolls* is now complete for the reign of Edward I. During the past year the first volume of the series was published, covering the years 1272-1281. Its delay was due to the fact that the period had already been covered in the reports of the Deputy Keeper of the Public Records (numbers 42 to 50 inclusive; 1881-1889). We should mention also that a volume of the same series for the reign of Henry VI. as far as 1429 appeared in 1901.

The University Press at Cambridge has published *The Charters of the Borough of Cambridge*, edited for the Council of the Borough of Cambridge and the Cambridge Antiquarian Society, by F. W. Maitland and

Mary Bateson. Dr. Maitland furnishes a valuable introduction, and the text of the charters is accompanied by a translation on the opposite page.

Dr. J. J. Jusserand's article in the *Revue de Paris* for December 15, on "L'Époque de la Renaissance en Angleterre," may very well be a foretaste of his *Literary History of the English People*, which he hopes to complete this year.

The fifteenth volume of the *Transactions* of the Royal Historical Society contains, besides Dr. Jensen's original texts relating to Peter's Pence, a paper by Mr. Firth on the "Later History of the Iron-clads", a sequel to his "Raising the Iron-clads"; a short paper by Mr. Reddaway on the "Advent of the Great Elector"; extracts, edited by Miss M. B. Curran, from the correspondence of an English diplomatic agent in Paris between 1669-1674, one William Perwich; and "The Peace of Luneville," by Miss L. M. Roberts, a long discussion of the diplomatic negotiations leading up to that treaty. The Society's Alexander Medal was awarded to Miss Roberts for this paper. A new volume of the *Publications* of the same society includes the last installment of Mr. Firth's scholarly edition of the Clarke Papers.

The *Autobiography* of Lieut.-General Sir Harry Smith, who served in South America, in the Peninsula and France, at New Orleans, at Waterloo, in North America and Jamaica, in South Africa during the Kaffir War, in India during the Sikh War, and at the Cape, has been published in two volumes. Some chapters are added by the editor, G. C. Moore Smith (London, Murray).

It appears that a real advance in our knowledge of Scottish history in the sixteenth century has been made by the publication, through the Scottish History Society, of *Papal Negotiations with Mary Queen of Scots during her Reign in Scotland, 1561-1567*, edited from the original documents in the Vatican archives and elsewhere, by John Hungerford Pollen, S. J. Two hundred and fifty-nine of these pieces are here printed for the first time. It may be added that Father Pollen promises at some time the publication of the documents relating to the proposed excommunication of Elizabeth at Trent and also the Lennox papers.

Noteworthy articles in periodicals: *New Lights on Mary Queen of Scots* (Quarterly Review, January); J. F. Chance, *George I. in his Relations with Sweden before his Accession and to May 1715* (English Historical Review, January).

#### FRANCE.

A study in the history of the Merovingian period, *Vie de Saint Ouen*, by Father E. Vacandard, has recently appeared in Paris (Lecoffre). Two chapters of this work form the leading article in the *Revue des Questions Historiques* for January, "Saint Ouen Évêque de Rouen: L'Ordre Monastique et le Palais Mérovingien."

The long-awaited final volumes (III. and IV.) of *La France et le Grand Schisme d'Occident*, by Noël Valois, have lately appeared. The first two volumes of this work, it may be recalled, were accorded the



Gobert Prize by the Academy of Inscriptions and Belles-Lettres (Paris, Picard).

A noteworthy edition, by M. B. de Mandrot, of the *Mémoires de Philippe de Comynes*, from a hitherto unused manuscript, has begun to appear in the "Collection de Textes pour servir à l'Étude et à l'Enseignement de l'Histoire." The first volume comprises the years 1464-1477 (Paris, Picard).

The Société de l'Histoire de France has lately brought out a volume of prime interest for the history of the religious wars in France: *Mémoires du Vicomte de Turenne, depuis Duc de Bouillon, 1565-1586*, followed by thirty-three letters of the King of Navarre and other hitherto unpublished documents. The work of preparation was done by M. Baguenault de Puchesse, editor of the last volumes of the *Correspondance de Catherine de Médicis*.

M. Gabriel Hanotaux continues his work on Richelieu. Two articles by him in the *Revue des Deux-Mondes* for January 1st and February 1st relate to the European crisis of 1621: I. "Le Problème Protestant en Europe.—Les Affaires de la Valteline"; II. "Luynes et le Parti Protestant en France"; and a third, in the number for February 15, treats of "La Genèse des Idées Politiques de Richelieu."

M. Lacour-Gayet continues his studies of the French projects of descent upon England in the eighteenth century by an article in the *Revue Maritime*, since published separately, on "*La Campagne Navale de la Manche en 1775*." With it may be mentioned M. J. Colin's study of the attempted invasion of 1744, entitled *Louis XV et les Jacobites* (both brought out by Chapelot, Paris).

Recent books on Napoleon include *La Genèse de Napoléon*, by J. B. Marcaggi, dealing with his intellectual and moral development to the time of the siege of Toulon (Paris, Perrin); *Napoleon's Campaign in Poland*, by F. L. Petre (London, Low); *A Life of Napoleon I.* (Macmillan), by Thomas E. Watson, who writes here in much the same way as in his *Story of France*; and especially *The Life of Napoleon Bonaparte*, by J. H. Rose, in two volumes (Macmillan). In this connection attention may be called also to a suggestive and timely article by M. Edouard Driault, in the *Revue D'Histoire Moderne et Contemporaine* for November-December, entitled "L'Histoire de la Politique Extérieure de Napoléon I<sup>er</sup>." It characterizes the work done so far in regard to the Napoleonic period and sets forth questions that remain to be treated.

Noteworthy articles in periodicals: Le Comte d'Haussonville, *Madame de Maintenon d'après les Souvenirs Inédits d'une de ses Secrétaires* (*Revue des Deux-Mondes*, December 15); S. Charléty *Lyon sous le Ministère de Richelieu*, concluded (*Revue d'Histoire Moderne et Contemporaine*, January); E. Gabory, *La Marine et le Commerce de Nantes au XVII<sup>e</sup> Siècle et au Commencement du XVIII<sup>e</sup>* (1661-1715) (*Annales de Bretagne*, beginning in the November number); Georges Yver, *La petite Vendée du Sancerrois* (*Revue d'Histoire*

Moderne et Contemporaine, November); G. Caudrillier, *Le Complot de l'An XII*. III. (Revue Historique, January); Ph. Sagnac, *Les Juifs et Napoléon (1806-1808)*, concluded (Revue d'Histoire Moderne et Contemporaine, January); P. Feret, *Le Concordat de 1817: Suite de l'Ambassade du Comte de Blacas; Ambassade du Comte Portalis* (Revue des Questions Historiques, January).

#### ITALY, SPAIN.

The director of the *Rivista Storica Italiana*, Professor Costanzo Rinaudo, has undertaken an index of the most important contents of that journal since its beginning in 1884. There will be two volumes, of some 500 pages each, and it is hoped that they may be out early in 1903. Such an index will be of special value, from the fact that since 1896 the *Rivista* has aimed to give an analysis or notice of all new works, wherever published, relative to the history of Italy.

Those who follow the progress of historical work in Spain will know of the article on the archives, libraries and museums of Spain that was published originally in the *Revue Internationale des Archives, Bibliothèques et Musées* and incorporated later into R. Altimira's *De Historia y Arte*. A useful supplement to this general account appeared in the *Bibliographe Moderne* for January and March of 1901, and has since been brought out separately: *Les Archives Historiques Nationales de Madrid* by M. G. Desdevises du Désert.

Noteworthy articles in periodicals: R. Garnett, *A Laureate of Caesar Borgia* (English Historical Review, January); F. de Navenne, *Pier Luigi Farnèse*, concluded (Revue Historique, January); Victor Pierre, *Le Clergé Français dans les États Pontificaux (1789-1803)* (Revue des Questions Historiques).

#### GERMANY, SWITZERLAND.

The second part of the "Nachrichten und Notizen" of the first number of the *Historische Vierteljahrschrift* for 1902 includes a timely account, by W. Lippert, of recent "Archivliteratur" relating to Germany.

German historical publications for the year 1900 are reviewed by M. Philippon in the January-February number of the *Revue Historique*.

Much light has been thrown upon the history of commerce in Germany in the fourteenth century, more particularly that of the Hansa, by the publication of *Das Handlungsbuch von Herman und Johan Wittenborg*, edited by Carl Mollwo (Leipzig, Dyk). This is the oldest of the German account books now known.

An edition of the original text of the secret correspondence of Mirabeau during his residence at Berlin is being prepared by Erich Wild. Meantime the introduction to this edition has been published under the title *Mirabeau's geheime diplomatische Sendung nach Berlin* (Heidelberg, C. Winter).

Among the most noteworthy historical publications recently undertaken in Germany is an extensive work by Dr. Adolf Stölzel: *Die Ent-*

*wicklung der gelehrten Rechtsprechung*, as shown by the acts of the Brandenburg "Schöppenstuhl." Four volumes of the acts have been issued: *Urkundliches Material aus den Brandenburger Schöppenstuhlakten*; and the first volume of the work itself: *Der Brandenburger Schöppenstuhl*. Later volumes will treat of the influence of the Roman law, and of the history of civil and criminal procedure (Berlin, F. Vahlen).

The first volume of an important work in the field of "Kulturgeschichte," *Der älteste deutsche Wohnbau und seine Einrichtung*, by Dr. K. G. Stephani, has lately appeared in Leipzig (Baumgärtner). This volume comes down through the Merovingian period; the one to follow will continue the subject to the end of the eleventh century.

A substantial contribution toward a history of public opinion in Germany has just been made by Dr. Theodore Scheffer: *Die preussische Publizistik im Jahre 1859, unter dem Einfluss des italienischen Krieges* (Leipzig, Teubner).

The history of Switzerland in the time of the Burgundian wars is known largely from the official Bernese chronicle by Diebold Schilling. A new edition of this chronicle, prepared by Professor G. Tobler, has been issued recently: *Die Berner Chronik des Diebold Schilling, 1468-1484*, in two volumes (Berne, Wyss). This will replace the old edition of 1743.

Noteworthy articles in periodicals: Felix Priebatsch, *Die Hohenzollern und der Adel der Mark* (Historische Zeitschrift, LXXXVIII., 2); Alfred Götz, *Die zwölf Artikel der Bauern, 1525*, a critical edition (Historische Vierteljahrschrift, January); A. Waddington, *Un Mémoire Inédit sur la Cour de Berlin en 1688* (Revue Historique, January); Heinrich Ulmann, *Kritische Streifzüge in Bismarcks Memoiren* (Historische Vierteljahrschrift, January); Hermann Oncken, *August Reichensperger* (Historische Zeitschrift, LXXXVIII., 2); Heinrich von Poschinger, *Handschriften des Geh. Leg. Rats Küpper über die deutsche Frage in den Jahren 1849 und 1850* (Historische Vierteljahrschrift, January).

#### BELGIUM.

M. J. Laenen, of the University of Louvain, has made an important contribution to the history of the Netherlands during the reign of Maria Theresa. It is entitled *Le Ministère de Botta-Adorno dans les Pays-Bas Autrichiens pendant le Règne de Marie-Thérèse (1749-1753)* (Anvers, Librairie Néerlandaise).

M. A. Gaillard has concluded the second volume of his elaborate and original study on *Le Conseil de Brabant*, its history, organization and procedure (Brussels, Le Bégue). He will finish the work in another volume.

#### RUSSIA.

Mr. W. R. Morfill has produced a brief *History of Russia, from the Birth of Peter the Great to the Death of Alexander II.* (New York, James Pott and Co.) ; and one of the chief groups of events in the same period

is the subject of a volume by Mr. R. N. Bain: *Peter III., Emperor of Russia: Story of a Crisis and a Crime* (London, Constable). In this connection it may be noted that Mr. J. Fitzmaurice-Kelly will contribute a general survey of the history of the Russian people as the third number of Professor York Powell's "Great Peoples" series (Appleton).

*Russian Political Institutions*, by Maxime Kovalevsky, treating of the growth and development of these institutions from the beginnings of Russian history to the present time, has lately been issued by the University of Chicago Press.

#### AMERICA.

A new magazine, *The Bibliographer*, (Dodd, Mead and Co.) is devoted mainly to news relating to rare and costly books of a character to appeal more particularly to book lovers and collectors. One feature as announced is to be the reproduction of rare books, and this in the first issue takes the form of facsimiles of two rare Americana, the one, some pages from Donkin's *Military Collections*, New York, 1777, and the other, a part of Thomas Hariot's *Briefe and True Report of the New Found Land of Virginia*, London, 1588.

The next volume in the "Harvard Historical Studies," published by Longmans, Green and Co., will be *The Anglican Episcopate in the American Colonies*, by Dr. Arthur L. Cross, of the University of Michigan.

General A. W. Greely has performed a useful task in preparing a list of the public documents of the first fourteen Congresses. The papers listed are accompanied by notes showing the general character of the documents and the libraries in which they are to be found. It may be a matter of surprise to some persons to find that there is not in existence even in Washington a complete set of these documents. This valuable volume is published as Document No. 428, of Senate documents of the first session of the 56th Congress.

Dr. Thomas L. Bradford, of Philadelphia, expects to complete within the coming year his bibliography of state, county and town histories that have been published in the United States. Any one possessing data on this subject, whether for sale or to loan, is requested to communicate with Dr. Bradford at Frankford Avenue, Philadelphia.

Prescott's *Conquest of Peru* and *Ferdinand and Isabella* in two and three volumes respectively are announced for the Bohn Library, each with an introduction by G. P. Winship and notes by J. F. Kirk.

A recent work treating in a comprehensive way of the causes, progress, and results of Spanish conquests in the New World is *Caracter de la Conquista Española en America y en Mexico; segun los textos de los Historiadores Primitivos* by Genaro Garcia, Mexico, 1901. It appears to be based largely on official reports of the conquerors.

The leading article in the *Records of the American Catholic Historical Society* for December, 1901, is a Prize Essay of Pauline Lancaster Payton on "Pierre Gibault, Priest and Patriot of the Northwest in the Eighteenth Century."

*John Trumbull: a Brief Sketch of his Life to which is Added a Catalogue of his Works*, by J. F. Weir, is just published by Scribner.

A fourth edition has been issued of T. H. McKee's *The National Conventions and Platforms of all Political Parties, 1789-1901* (Baltimore, The Friedenwald Co., 1901, pp. 381, 33).

A new edition of the *Documentary History of the Constitution* has been published by the State Department. It contains fifteen pages of additional notes by James Madison.

*A Study of the Twelfth Amendment of the Constitution of the United States* is the subject of a doctor's dissertation by Lolabel House (Philadelphia, 1901). It gives the discussion concerning the method of electing the President, which arose in the Philadelphia Convention, and enters somewhat into the debates and controversies preceding the adoption of the Amendment. It is unfortunately not written in good clear English.

An edition of Lewis and Clark's Journal verbatim from the original manuscript is announced by Dodd, Mead and Company to be edited by R. G. Thwaites.

The Oregon Historical Society has initiated plans for celebrating the Lewis and Clark expedition by erecting a monument at Fort Clatsap, the winter quarters of the explorers in 1805-1806, and is advocating the holding of an industrial exposition at Portland. The success of the latter proposition has been secured by action of the state legislature and the city of Portland, by ample subscriptions to a stock company formed to guarantee the exposition financially and by promises of co-operation from the other states formed from the Oregon territory. It is hoped that a permanent memorial of the occasion may be created in the shape of an historical library building.

The Columbia College Library has received a very valuable gift from William C. Schermerhorn in the DeWitt Clinton letters. These comprise a mass of correspondence, largely political in character, covering the first quarter of the nineteenth century including letters from all the Presidents from John Adams to Van Buren. There are also letters from George Clinton, Jay, Burr, Chancellor Kent, Gouverneur Morris and all the leading New York politicians of the time, as well as from Freneau, Gallatin, Henry Clay and many others.

The *Bulletin of the New York Public Library* for January contains the "Calendar of the Barbour Papers," including a long list of letters to James Barbour of Virginia between the years 1811-1841 from John Quincy Adams, Henry Clay, W. H. Crawford, Jefferson, Monroe and others of less note.

Scribner's "American History Series" is completed by the new volume by Professor J. W. Burgess entitled *Reconstruction and the Constitution*.

*The Life of Andrew Johnson, Seventeenth President of the United States*, by Rev. J. S. Jones, is published by the East Tennessee Publishing Company, Greenville, Tennessee.

Under the authority of the board of aldermen of Boston, acting as county commissioners of the county of Suffolk, the Records of the Court of Assistants of the Colony of Massachusetts Bay are being prepared for the press and printed. The first volume is now published; it covers not the earlier but the later history of the court, 1673 to 1692. It is entitled Volume I., because "the original manuscript book from which it is printed is the only complete volume of its records now extant, and all that has preserved the specific form of an original record of the Court." The remainder of the records is made up of material drawn from various sources. The work of collecting and printing is being done under the direction of Mr. John Noble, clerk of the supreme judicial court.

The volume of the Nantucket Historical Association for 1901 contains an interesting study of the settlement of that island in the seventeenth century under the title "Nantucket Lands and Land Owners," by H. B. Worth.

The Journals of the House of Representatives of Massachusetts Bay for 1715 are to be edited by Worthington C. Ford and issued in a limited edition. Only four copies of the original are known to exist. In addition to these, the "Minutes of the Governor and Council" will be included to supply the absence of any journals for the November session.

Dr. S. A. Green has prepared a series of *Ten Facsimile Reproductions Relating to Old Boston and Neighborhood* which is published by G. E. Littlefield, Boston.

The De Burians, a club of book lovers in Bangor, Maine, have published *Peter Edes and His Diary, 1775*, edited by S. L. Boardman. Edes was an early printer in Boston and Newport and a pioneer printer in Bangor and Augusta.

The state of New York has completed the arrangement of its Revolutionary War records, in fifty-two folio volumes, with a complete card index.

Professor Herbert L. Osgood, of Columbia University, has issued, on behalf of the Public Archives Commission of the American Historical Association, an appeal for a State Record Commission in New York to preserve local archives. That immediate action is needed is shown by the behavior of two towns in Onondaga County which recently burnt all old papers and records as rubbish.

The Pennsylvania Society of New York has offered two prizes for the best essays on "The Influences that laid the Foundations of Pennsylvania." The competition is open to members of the senior classes of Pennsylvania universities and colleges, and the essays are to be presented by April first.

A recent doctor's thesis at the University of Pennsylvania, by L. S. Shimmel, treats of "Border Warfare in Pennsylvania during the Revolution" (R. L. Myers and Company, Harrisburg).

The January number of the *Pennsylvania Magazine of History and Biography* continues the publication of letters to and by Margaret Shippen,

wife of Benedict Arnold, and of the Memoirs of General Lacey. It also contains an interesting article on "The Society of the Sons of Saint Tammany of Philadelphia, 1765," by F. A. von Cabeen.

The Pennsylvania Society of New York will publish a *Yearbook of Contemporary History and Patriotism*, containing the record of the society's work during the past year and also abstracts of magazine articles on Pennsylvania, notes on books published in Pennsylvania or concerning the state, accounts of memorials erected, anniversaries celebrated, and pictures of historic buildings. This ought to prove a useful annual compilation, if consistently carried out.

The first volume of a series interesting to genealogists and other students of early Maryland history has been issued by the W. J. C. Dulany Company, Baltimore, a *Maryland Calendar of Willis, 1635-1685*, edited by Jane Baldwin.

Two recent issues of the Johns Hopkins University Studies dealing with Maryland History are *Western Maryland in the Revolution*, by B. C. Steiner, and *Governor Thomas Hicks of Maryland and the Civil War*, by George L. P. Radcliffe.

A number of interesting articles appear in the *West Virginia Historical Magazine* for January. They include an account of "The Celebration of the One Hundred and Twenty-seventh Anniversary of the Battle of Point Pleasant, October 10, 1774," an article on the Fairfax Stone by J. L. Miller, M.D., and a study of the career of Philip Doddridge, an early representative of West Virginia sectional interests in the Virginia legislature, Constitutional Convention and in Congress, 1815-1832, by W. S. Laidley.

The bicentennial of the settlement of Mobile was celebrated January 23 by the erection of a monument at Twenty Seven Mile Bluff to commemorate the founding of Fort Louis de la Mobile in 1702 by D'Iberville and Bienville. [Exercises held on this occasion included an historical address by Peter J. Hamilton, author of *Colonial Mobile*, and an address in French by Professor Paul J. Robert. At a celebration held the same evening under the auspices of the ladies of Mobile a prize poem was read, written by Miss Annie L. Shillito.

Number IV. of Volume III. of the *Indiana Historical Society Publications* is entitled "The Mission to the Ouabache" by J. P. Dunn. This contains, in addition to the historical study by Mr. Dunn, three reports made by Robert B. Douglas, who on behalf of the Indiana Historical Society collected evidence in the colonial office in Paris and sent transcriptions of a number of documents.

The *Historical Collections of the Michigan Pioneer and Historical Society for 1899-1900*, recently published, contains the usual number of pioneer sketches, the most important being "Recollections of Pioneer and Professional Life in Michigan" by R. C. Kedzie. Two contributions of historical value are by C. M. Burton on "Early Detroit" and "Fort Pontchartrain du Detroit, 1701-1710, under Cadillac." Mr.



Burton is preparing for the next volume of the *Collections* the orderly book of General Winchester and also a set of very interesting documents relating to the Black Hawk War. The publication of such material will greatly add to the value and usefulness of the series.

At the third annual meeting of the Illinois State Historical Society at Illinois College, Jacksonville, on January 23 and 24, the annual address was given by Hon. J. N. Jewett, President of the Chicago Historical Society, on "The Sources and Results of Law in Illinois." The list of briefer papers comprised a number on early religious and social history of Illinois, and several dealing with the French occupation, also one on "The State's Internal Improvement Venture of 1836-38," by Dr. Bernard Stuvé, and one on "Richard Yates' Services to the Union as War Governor," by Dr. William Jayne.

Number III. of the Publications of the Illinois State Historical Library is *The Territorial Records of Illinois*, edited by Professor Edmund J. James, of the University of Chicago (Springfield, Phillips Brothers). It includes the executive register, 1809-1818; the journal of the executive council, 1812; and the journal of the house of representatives, 1812.

Green B. Raum has written a *History of Illinois Republicanism embracing a History of the Republican Party in the State to the Present Time* (Rollins Publishing Company, Chicago).

The addresses given at the dedication of the new building of the State Historical Society of Wisconsin are printed in a memorial volume published by the society. It includes besides the address delivered by Charles Francis Adams, which has been printed in the REVIEW, short addresses by other speakers, and a brief history of the society by Mr. R. G. Thwaites, the editor of the volume and the secretary of the society.

Mr. William Harvey Miner has prepared for the Dibdin Club a Boone bibliography. It is published under the title *Daniel Boone. Contribution toward a Bibliography of Writings Concerning Daniel Boone* (New York, 1901).

In the *Annals of Iowa* for January, F. I. Herriot gives a depressing account of the utter lack of care shown by the state in the preservation of public documents, and makes an appeal for prompt action to save early records from further destruction and secure adequate care for recent and current material.

The *Quarterly of the Texas State Historical Association* for January contains an interesting study by R. C. Clarke on "The Beginnings of Texas," dealing with early Spanish explorations and settlements in the seventeenth century.

The *Quarterly of the Oregon Historical Society* for December, 1901, contains the first installment of "The Political History of Oregon, 1865-1876," by W. D. Fenton.

The Library of Congress has issued a list of books on Samoa and Guam compiled under the direction of Mr. A. P. C. Griffin. The latest publication of the Bureau of American Republics is a list of books, magazine articles and maps relating to Central America, prepared by Mr. P. Lee Phillips of the Library of Congress.

Noteworthy articles in periodicals: W. G. Brown, *Lincoln's Rival* (Atlantic Monthly, February); E. E. Sparks, *Formative Incidents of American Diplomacy* (Chautauquan, January to March); Emerson Hough, *The Settlement of the West, a Study in Transportation* (Century Magazine, November to January); Goldwin Smith, *England and the War of Secession* (Atlantic Monthly, March); Stephen S. Colvin, *History Teaching in the first Years of the High School* (Journal of Pedagogy, December); Herbert Putnam, *Relation of the National Library to Historical Research* (Educational Review, March).

The  
American Historical Review

ROBERT LE BOUGRE AND THE BEGINNINGS OF  
THE INQUISITION IN NORTHERN FRANCE

II.

WITH the exception of an episcopal admonition which has been preserved from the diocese of Théroutanne,<sup>1</sup> existing records do not permit us to say whether the withdrawal of the Dominicans served as a stimulus to the episcopal inquisition. Certainly whatever local efforts may have been made were insufficient to satisfy Gregory IX., and on August 21, 1235, he re-established the Dominican inquisition throughout France. With scarcely suppressed indignation at those who in certain provinces, where they alleged there were no heretics, had murmured against the conduct of the inquisitors, he declared that in every part of the kingdom the poisonous reptiles of heresy swarmed in such numbers that they could no longer be endured or concealed. Against their deceits he commands Robert, like a veteran soldier of the cross, prepared to meet even death in this great cause, to loose the reins of the inquisition "throughout the provinces of Sens, Rheims, and the other provinces of the kingdom of France generally," proceeding with the advice of the bishops, his fellow Dominicans, and other experts (*sapientes*) so that the innocent should not perish or the guilty remain unpunished. The provincial prior was directed to appoint other friars to assist him, and the Archbishop of Sens—and doubtless those of the other provinces—was ordered to co-operate actively with them and such others as might be selected for the purpose.<sup>2</sup> Thus the

<sup>1</sup> Letter of June 7, 1235 to the provost of St. Martin's at Ypres, with *vidimus* of the Archbishop of Rheims, Fredericq, *Corpus*, I. No. 99. Perhaps the proceedings of the bishop of Noyon against Michel de Cerizy (see bull of December 5, 1235, in Auvray, 2854) belong to this period.

<sup>2</sup> Bull *Dudum ad aliquorum murmur*, to the provincial prior of the Friars Preachers in France, August 21, 1235 (Auvray, 2736; Potthast, 9993, Fredericq, *Corpus*, I. No. 100). Bull *Dudum*, to Friar Robert, August 23 (Auvray 2735; Potthast 9995; Fre-

papal inquisition was re-established in northern France. Robert was made general inquisitor, he was particularly commended by the Pope, and the bishops were forced to act as his assistants. Under the new commission there were no limitations of place; it covered the whole of France and clothed the inquisitor with full power to proceed under the decrees of the Lateran council and the statutes of 1231.

Armed with his new authority, Friar Robert began a vigorous campaign against heresy among high and low. According to one chronicle his efforts extended over "various cities and towns of France, Flanders, Champagne, Burgundy and the other provinces."<sup>1</sup> Our more specific information relates to Châlons-sur-Marne, where a number of heretics were burnt, notably a certain barber Arnolinus, "entirely devoted to the devil and offensive beyond measure,"<sup>2</sup> and to the region of the north, where the persecution seems to have raged most violently.<sup>3</sup> Apparently Robert began his work in this region by establishing his headquarters at Cambrai, which was not in France at all, but in the territory of the empire.<sup>4</sup> We are told that he had with him an armed band from the King and that the bishop of Cambrai, Godefroi, who accompanied him also had an armed escort. Their progress through this region began at Péronne, where Pieron Malkasin and Matthieu de Lauvin, their wives,

dericq. I. No. 101; also in abbreviated form, without date, copied from a MS. in the Ottoboni library at Rome, in the Bibliothèque Nationale, Collection Moreau, 1193, f. 229). Bull *Quo inter ceteras* to the Archbishop of Sens, August 22 (Auvray 2737; Potthast, 9994; Fredericq II. No. 28).

<sup>1</sup> *Annales Sancti Medardi Suessionensis*, M. G. H. SS. XXVI. 522; Fredericq, *Corpus*, II. No. 26. Delisle (*Histoire Littéraire de la France*, XXXII. 235 ff.) has shown that these annals are the work of Gobert de Coinci, from 1233 to 1254 prior of Vic-sur-Aisne. Their account of Robert's persecutions, though brief, is sober and accurate.

<sup>2</sup> Albericus, in M. G. H. SS. XXIII. 937; Fredericq, *Corpus*, II. No. 24.

<sup>3</sup> The fullest account of events in the north is contained in the chronicle of Mousket, who was a resident of Tournai, and unless otherwise indicated the narrative in the text is based upon his statements. Vv. 28887 ff. Albericus (l. c.), and Matthew Paris (*Chronica Majora*, III. 361; M. G. H. SS. XXVIII. 133) dismiss the subject very briefly, as do the continuators of André de Marchiennes (M. G. H. SS. XXVI. 215; H. F., XVIII. 559; Fredericq, *Corpus*, II. No. 25) and Sigebert de Gembloux (M. G. H. SS. VI. 440), who give the same account, derived perhaps from a common source (cf. Waitz, in M. G. H. SS. XXVI. 204). The chronicle of Hainaut attributed to Baudoin d' Avesnes (H. F., XXI. 166; M. G. H. SS. XXV. 455) has also a brief mention.

Two writers of the fourteenth century, Gilles de Muisit (De Smedt, *Corpus Chronicorum Flandriae*, II. 150) and Jean d' Outremeuse (ed. Borgnet, V. 231) record the persecution of heretics in this period, but their statements have no particular value, as may be seen from the way in which Jean confuses Friar Robert with the more famous Dominican, Albertus Magnus. The extract from Dynter's *Chronica* given by Fredericq (*Corpus*, I. No. 104; Dynter, ed. DeRam, I. 564, 625) is merely a reproduction of the passage in the continuations of André and Sigebert. Frederichs' treatment of the northern episode is particularly good.

<sup>4</sup> Cf. Baudoin d' Avesnes, H. F. XXI. 166.

and Robert de Lauvin were burnt. Matthieu's pregnant daughter was also taken, but by the intercession of the French Queen her life was spared on profession of orthodoxy.<sup>1</sup> Pierre's son fled to Valenciennes but was caught and taken on to Cambrai. On the way back to Cambrai four seigneurs were burnt at Heudicourt.<sup>2</sup> At Cambrai Robert had with him the Archbishop of Rheims and the bishops of Arras, Cambrai, Tournai, and Noyon, and on the first Sunday in Lent<sup>3</sup> a famous sorceress named Alice and some twenty others were burnt—"men of good cheer and in all manner courteous," says Mousket, "except for the fact that they did not believe in God."<sup>4</sup> Among the notable victims were three who had been chosen *échevins* of the city. Eighteen others were left there in prison, three who recanted were condemned to wear the sign of the cross, and still others were taken on to Douai, where a number of heretics had been collected to await the inquisitors' arrival. The proceedings at Douai were not unduly prolonged, for on the second of March, the second Sunday after the executions at Cambrai, ten heretics, old men and women, were led "out of the gate of Olivet, on the Road of the Lepers, which leads to Lambres" and there burnt in the presence of the Countess of Flanders, the Archbishop of Rheims, and the bishops of Arras, Cambrai, and Tournai.<sup>5</sup>

<sup>1</sup> Later in the reign of St. Louis it was the law that a pregnant woman condemned to death should not be executed before the birth of the child. *Livre de Justice et Plet*, 55.

<sup>2</sup> "Heldincourt." There are various places in the vicinity of Cambrai with which this may be identified (cf. H. F. XXII. 55). Holder-Egger, Frederichs, and Tanon incline to Élincourt (Nord, arrondissement Cambrai). I prefer Heudicourt (Somme, arrondissement Péronne, canton Roisel) which is directly between Péronne and Cambrai, and was anciently known as Heldincourt (cf. Cagny, *Histoire de l'Arrondissement de Péronne*, II. 723).

<sup>3</sup> February 17, 1236. As Frederichs has pointed out, both Waitz and Holder-Egger have confused the chronology of these events by forgetting that in this region the year began at Easter.

<sup>4</sup> Vv. 28944 ff. On the number compare Albericus, M. G. H. SS. XXIII. 937. The story of a heretic of Cambrai, recounted by Thomas of Cantimpré, *Bonum Universale de Apibus*, II. 57, No. 68 (ed. Douai, 1627, p. 592; cf. Fredericq, *Corpus*, I. Nos. 106, 107) may relate to this persecution.

<sup>5</sup> This specific account is given by a contemporary chronicle of the town, the *Notae Sancti Amati Duacenses* (M. G. H. SS. XXIV. 30; Fredericq, *Corpus*, I. Nos. 98, 106). Cf. Buzelinus, *Gallo-Flandria* (Douai, 1625), I. 256, 279. Mousket is more general, vv. 28980-28987, but likewise gives the number as ten. The persecution at Douai and Cambrai is also mentioned in the annals of Lobbes (Martène and Durand, *Thesaurus*, III. 1427; M. G. H. SS. IV. 26; Fredericq, *Corpus*, I. No. 94).

Professor Fredericq has had the kindness to send me, in advance of its publication in the third volume of his *Corpus*, the following notice of early persecutions at Douai contained in a MS. of the fifteenth century in the municipal archives of that town (Rég. A. A. 85, f. 17v):

Et y en a plusieurs ars pardevant, tant au quemin des Bougres comme vers le Braielle, comme il est escript ou livre couvert d'argent, qui est en l'église Saint Amet de Douay, comme l'escripvant a trouvé en certaines mémoires qu'il a veues.

Some, who professed themselves converted, had their heads shaved and were condemned to wear the cross, others were imprisoned "to repent and to stay."<sup>1</sup> At Lille and in the neighboring villages of Ascq, Lers, and Toufflers,<sup>2</sup> a number of heretics, amounting perhaps to a score,<sup>3</sup> were burnt and others imprisoned. The persecution at Lille seems to have been particularly aimed at merchants and also at a certain Robert de la Galie, against whom Friar Robert was said to have a grudge because of a woman of Milan.<sup>4</sup> In all, during a period of two or three months, about fifty had been burnt or buried alive.<sup>5</sup>

For the persecutions of the two following years our evidence is very scanty. In the fall of 1237 the Pope declared that heretics were rising more boldly against the vineyard of the Lord,<sup>6</sup> but no record of a condemnation appears in this year except at Blois, where "there was a burning of the Bugri of the town."<sup>7</sup> The royal accounts of this year, were they in existence, might tell us more. In 1238 these useful sources show us, in the roll for the Ascension term, that heretics had been convicted at Miraumont, near Péronne, and their goods to the value of eighty *livres* confiscated to the royal treasury.<sup>8</sup> Matthew Paris mentions under this year a general persecution by Robert, but this may very well be a confusion with the similar entry of two years before.<sup>9</sup> Toward the close of the summer we find Robert at Paris, examining a witness in the case of the prior of Mazille, in the Nivernais, who was under charge of fautorship of heretics.<sup>10</sup> A writer of the seventeenth century asserts that the inquisition was established at Arras in this year, in the Dominican

<sup>1</sup> Mousket, v. 28987.

<sup>2</sup> Nord, arr. Lille. Cf. Frederichs, 19.

<sup>3</sup> If we accept the statement of Albericus that a good thirty were burnt at Douai and thereabouts, and deduct the ten executed at Douai. Mousket, with whom Albericus agrees in the case of Cambrai, gives no figures for Lille.

<sup>4</sup> Mousket, vv. 28988-29005. Part of the passage, especially line 29000, is obscure and has perplexed all the editors. I cannot pretend to have any new light upon it.

<sup>5</sup> Matthew Paris, l. c. This total agrees very well with the more detailed statements of Mousket and Albericus.

<sup>6</sup> Bull of October 6 to the archbishops and bishops of France (Potthast, 10460). The allusion is to the "little foxes that spoil the vines" (Canticles, ii. 15) which in the Middle Ages, even by the Waldenses themselves, was interpreted to mean the heretics. Cf. Lea, I. 78, note.

<sup>7</sup> "Annals of La Trinité de Vendôme" in the *English Historical Review*, XIII. 698.

<sup>8</sup> H. F. XXI. 252 D.

<sup>9</sup> *Chronica Majora*, III. 520 (M. G. H. SS., XXVIII. 146).

<sup>10</sup> Per idem tempus erat in Francia inquisitor hereticorum frater Robertus de ordine Predicatorum, qui fratrem Iodoinum priorem de Masiliis prosequatur asserens eum esse fautorem hereticorum, ob quam causam dictus abbas [Regnaudus] accessit Parisius, ubi dictus frater Robertus morabatur, inde vero rediens apud Villam Novam Givardi obiit anno Domini MCCXXXVIII. nonis Septembris. *Gesta Abbatum Autissiodorensium*, in Labbe, *Nova Bibliotheca Manuscriptorum*, I. 581. Cf. *Gallia Christiana*, XII. 387.



convent.<sup>1</sup> Certain it is that at some time before 1244 Robert exercised his inquisitorial functions at Arras against Henri Hukedieu, a well-to-do wool merchant of the city.<sup>2</sup>

The climax of Friar Robert's career as an inquisitor was reached in May, 1239, at Mont-Aimé,<sup>3</sup> an ancient seat of heresy in Champagne where a crowd of suspected Manicheans, some of them possibly merchants from the great May fair at Provins,<sup>4</sup> had been collected from all parts of the country. Their examination lasted the better part of a week, being attended by the Archbishop of Rheims and ten of his suffragans, as well as by the bishops of Orleans, Troyes, Meaux, Verdun, and Langres, and "many abbots, priors and deans,"<sup>5</sup> and ended on Friday, May 13, in a "holocaust, very

<sup>1</sup> Fredericq, *Corpus*, II. No 29. See also Provill, *Histoire du couvent des Dominicains d'Arras* (Bibliothèque Nationale, MS. fr. 11620), 387, 683, citing a modern MS. of the convent.

<sup>2</sup> Letter patent of Asson, bishop of Arras, April, 1244 (or possibly 1245, since Easter in 1245 fell on April 16), recognizing that Hukedieu had been excommunicated by Robert. Original, with traces of seal, in the Archives du Pas-de-Calais, A. 10<sup>5</sup>. Published by Fredericq, *Corpus*, I. No. 121, from a cartulary at Lille.

On Henri Hukedieu see Jeanroy et Guy, *Chansons et Dits Artésiens du XIII<sup>e</sup> Siècle* (Bordeaux, 1898), 80, 121, 132; and Guesnon in the *Bulletin Historique et Philologique* for 1898, 192, and in the *Moyen Age*, new series, IV. 31.

<sup>3</sup> Marne, arrondissement, of Châlons, commune of Bergères-les-Vertus. Cf. Longnon, *Dictionnaire Topographique de la Marne*, 171, where the numerous variants of the name are given. The different medieval forms of this name have caused some confusion, and have even given one writer a lame excuse for doubting the fact of the great burning (*Histoire Littéraire*, XVIII. 249). On the early history of heresy at Mont-Aimé see Schmidt, *Histoire des Cathares*, I. 33, 41.

For the great *auto da fe* of 1239 we have the brief report of an eye-witness, the Dominican Étienne de Bourbon, in his *Anecdotes Historiques*, ed. Lecoy de la Marche, 150, 415 ("Cui sentencie ego interfui"). The fullest account is given by Albericus (M. G. H. SS. XXIII. 944-945; H. F. XXI. 623), who lived in the same diocese. Mousket mentions the affair (vv. 30525 ff., omitted in the extracts in the M. G. H.), as do also the Dominican annals of Erfurt (*Monumenta Erphurtensia*, ed. Holder-Egger, 96, 235; Böhmer, *Fontes Rerum Germanicarum*, II. 400; M. G. H. SS. XVI. 33). It is also noted by two writers of a somewhat later date: Jean de S. Victor, in his *Memoriale Historiarum* (Bibliothèque Nationale, MS. Lat. 14626, f. 339 v.; Quétif and Echard, *Scriptores Ordinis Praedicatorum*, I. 190); and Geoffroy de Courlon, *Chronique de l'Abbaye de S. Pierre-le-Vif de Sens*, ed. Julliot (Sens, 1876), 518 (H. F., XXII. 3; omitted in the extracts printed in the M. G. H.). Through the kindness of my colleague, Dr. Grant Showerman, I have seen collations of the two MSS. of Geoffroy in the Vatican (Reg. Christ. 455 and 480) which have not been used by the editors. The MS. of Sens on which the published text is based places the execution of heretics "apud Moimerillonem," which the editors of the H. F. identified with Montmorillon in the department of the Vienne. The Vatican MS. Reg. Chr. 480, f. 117, has "Moimer," a common form of the name of Mont-Aimé.

<sup>4</sup> We know at least that Robert on one occasion summoned a merchant of Arras to appear before him "in quibusdam nundinis de Campania" (Archives du Pas-de-Calais, A. 10<sup>5</sup>; Fredericq, *Corpus*, I. No. 121), and the Erfurt annals mention expressly the nearness of Mont-Aimé to Provins. The May fair regularly began the Tuesday before Ascension (Bourquelot, *Les Foires de Champagne*, I. 81), which in 1239 would bring it on May 3, just before the trial of the heretics began.

<sup>5</sup> Albericus, who mentions the bishops by name.



great and pleasing to God," in which more than a hundred and eighty Cathari were burnt, after receiving the sacrament of the *consolamentum* from their "archbishop."<sup>1</sup> "And so," concludes Albericus, "as the story runs that dogs once came from all directions and tore themselves to pieces in a battle at this same place, as a sort of prophecy of what was to be, so these Bougri, worse than dogs, were there exterminated in one day to the triumph of holy church." Not all of the ecclesiastical dignitaries remained for the end, but the Count of Champagne and King of Navarre, Thibaut IV., was there with his barons, and the crowd present, of both sexes and all ages and classes, was estimated by Albericus, with characteristically medieval looseness in dealing with large numbers, at seven hundred thousand.<sup>2</sup>

After the great *auto da fe* of 1239 comparatively little is known of Friar Robert's acts as an inquisitor. Like his contemporary pioneer of the papal inquisition in Germany, Conrad of Marburg, Robert seems to have pursued his victims with a fury which bordered upon mania,<sup>3</sup> and it is not strange that a reaction occurred against the friar and his methods. It does not appear that this arose from any feeling of pity for the terrible end of those who persisted in their heretical beliefs; worse than dogs, their destruction was pleasing to God, declared the monk of Trois-Fontaines, and he had thirteenth century with him.<sup>4</sup> If the persecutions had been confined to those who were clearly guilty, it is not likely that serious protests would have been made. According to Matthew Paris, however, Robert passed the bounds of moderation and justice, and in the pride of his power and of the terror that he inspired punished the simple and innocent along with the wicked. "Great numbers of innocent people were infatuated by him and then handed over to their

<sup>1</sup> On the *consolamentum* see Lea, I. 96, with the additional note in the French translation. The different accounts are in strikingly close agreement as to the number. Albericus has 183, Mousket 187, the Annals of Erfurt 184. Étienne de Bourbon in one passage gives "about 180," in the other "more than 80"—the latter with an evident omission of the hundred. Jean de S. Victor has 180; Geoffrey de Courlon gives no number.

<sup>2</sup> Bourquelot in his *Histoire de Provins* (I. 183) says that the local antiquary Grillon speaks of similar executions at Troyes and Provins, but I have found no contemporary evidence.

<sup>3</sup> "Un homicide maniaque," he is called by Langlois, in the *Histoire de France* of Lavissee, III. 2, 73.

<sup>4</sup> Albericus in M. G. H. SS. XXIII. 944. Still there are some who pitied the fate of heretics, as we learn from a general of the Dominicans, Humbert de Romans, in a work written for the instruction of preachers: In condemnatione hereticorum quando sententia fertur contra eos, solent publice homines convocari, et quia sunt multi qui quadam falsa pietate moventur circa eos et iudicant ecclesiam de nimia crudelitate circa illos, expedit in sermone publice ostendere quare ecclesia de hereticis plusquam de aliis peccatoribus diligentius inquirat, et quare gravius istos punit, et quare eos difficilius penitentiam recipit. *Maxima Bibliotheca Patrum*, XXV. 555.



death,"<sup>1</sup> until at length he was peremptorily removed from office by the Pope, and "when his crimes—which it were better not to mention—became known, he was condemned to perpetual imprisonment." What the dark deeds were which the monk of St. Alban's prefers to pass over in silence, our other sources do not enable us to say with much definiteness. The rare appeals from Robert's sentences relate only to the earlier stages of the inquisitorial procedure; they show his persistence in the pursuit of those upon whom suspicion of heresy had once rested, his arbitrariness and impatience of interference, but they tell us no more than this. One story, however, has come down to us unnoticed in the pages of a gossiping chronicler of the time, and the new light that it may serve to throw on the friar's methods justifies its quotation at some length.<sup>2</sup> In substance it runs as follows:

Robert had by magic art made a bit of writing (*cartula*) which when placed on any one's head compelled him to say whatever the friar desired. One day while preaching he was smitten with the beauty of a woman in the crowd, and when she refused to yield to him he threatened to have her burnt as a heretic. So approaching her in public he seized her and said, "Are you not a heretic?" She answered, "I am indeed." "Will you return to the Catholic faith?" "No." "Would you rather be burnt than recant?" "Yes." Whereupon he said, "You have all heard how this woman has confessed her baseness." The bystanders were surprised and said they had never heard such a thing of her, and she was put in prison. The woman had a son, a well-disposed youth and a clerk, who was much disturbed over his mother's dangerous position and went about among his neighbors and relatives seeking advice as to how he might get her free. A certain man who knew the friar well was moved by sympathy for the young man and said to him: "Go tomorrow to the public meeting where your mother will have her second examination. Stand near her, and when Master Robert places his hand on her and begins to question her on her belief, seize his hand, for you are stronger, and take away the writing which you will find in it. Keep it yourself, and ask him in a loud voice to examine your mother again." This was done, and when the clerk had taken the writing out of the friar's hand and his mother was questioned as before, she swore that she had never been examined by Master Robert concerning her faith and had never given him any answers at all, nor had she even heard what heresy

<sup>1</sup> Tandem abutens potestate sibi concessa, et fines modestiae transgrediens et justitiae, elatus, potens, et formidabilis, bonos cum malis confundens involvit, et insontes et simplices punivit. Auctoritate igitur papali jussus est praecise ne amplius in illo officio fulminando desaeivret. Qui postea, manifestius clarescentibus culpis suis, quas melius aestimo reticere quam explicare, adjudicatus est perpetuo carceri mancipari. *Chronica Majora*, ed. Luard, III. 520; M. G. H. SS. XXVIII. 147. Dicebatur . . . infinitos infatuasse et infatuatos innocuos incendio tradidisse. *Ib.*, V. 247; XXVIII. 326. Cf. the *Historia Anglorum*, ed. Madden, II. 415; M. G. H. SS. XXVIII. 411.

<sup>2</sup> Richer de Senones, *Chronicon* in M. G. H. SS. XXV. 307-308 (omitted in the edition of D'Achery): De magistro Roberto Parisiensi ordinis Predicatorum et fallaciis eius . . . On Richer as an historian see Wattenbach, *Deutschlands Geschichtsquellen*<sup>6</sup>, II. 399.

was. Then the young man showed the writing to all and explained how by means of it Robert deceived whom he would and delivered them to death. When the people heard this, they tried to kill the friar, but he was carried off by the clergy and put in a stone prison perpetually closed. And because, in order to conceal his own iniquity, he had by such devices caused his father and mother and many other innocent people to be burnt, God imposed such a penalty on him in this life, if perchance he should turn from his evil ways while yet alive.

Whether Richer has here given us the real occasion of Friar Robert's downfall it is impossible to say, but if we substitute hypnotic suggestion for the *cartula*, there is nothing impossible in the story, and it agrees in a general way with the statement of Matthew Paris respecting the "infatuation" of the innocent. With regard to the friar's imprisonment and subsequent fate two other accounts have been preserved, and while they form no part of the history of the inquisition, their neglect by later writers<sup>1</sup> warrants their insertion here. In a chronicle attributed to Matthew Paris we read that Robert, after procuring the burning of many thousands in Flanders, was "at length, by the judgment of the members of his order—who condemn no one to death—put in prison to do perpetual penance for his horrible crimes; but ultimately, by means of a large sum of money he succeeded in securing a papal dispensation which, to prevent further scandal, permitted him to be received as a canon of St. Victor."<sup>2</sup> This is confirmed and supplemented by a collection of biographies of Dominicans compiled toward 1260 for circulation among members of the order, where Robert figures as a terrible example of the "evil end of apostates":

There was a certain other man in France who had the office of inquisitor and was in such renown that almost the whole of France trembled before him and even the great held him in the highest reverence. Relying on his popularity, he became insolent and unwilling to govern himself by the advice of his elders, so that the friars at Paris kept him for a long time in bonds until his friends finally succeeded in inducing the Pope to have him released and received into another order. He joined first the brothers of the Trinity and then those of St. Victor, but having been expelled from each of these orders because of his evil deeds, he at last entered Clairvaux. Here he began with great honor, but when his wickedness—which God did not allow to remain hidden long—was discovered, he was reduced to a vile position in that monastery. And so, hav-

<sup>1</sup>The passage attributed to Matthew Paris does not seem to have been used. That from Gérard de Frachet was printed in an out of the way part of the *Scriptores Ordinis Praedicatorum* of Quétif and Echard (II. 543), where it was noticed by Provillle, *Histoire du Couvent des Dominicains d'Arras* (Bibliothèque Nationale, MS. Fr. 11620, pp. 420 ff.) and by Chapotin, *Histoire des Dominicains de la Province de France*, 224.

<sup>2</sup>*Abbreviatio Chronicorum Angliae*, in Madden's edition of the *Historia Anglorum*, III. 278; M. G. H. SS. XXVIII. 448. On the authority of the Dominicans to imprison erring brothers see the *acta* of the general chapters of 1238 and 1240, *Acta Capitulorum Generalium Ordinis Praedicatorum*, ed. Reichert, I. 10, 16; and Potthast, 11089.

ing been confounded before many, he died not long afterward in great shame and sorrow.<sup>1</sup>

In the present state of our information it is not possible to determine accurately the date at which Robert le Bougre ceased to exercise his functions as inquisitor. If his commission was revoked by the Pope, the bull is not recorded in the papal registers, and if he was removed from office by a legate or by the general of the Dominican order,<sup>2</sup> the chances for the preservation of a documentary record are still less. As there is no notice of any condemnations made by Robert after the great burning of 1239, Lea<sup>3</sup> and Tanon<sup>4</sup> assume that he fell from power in that year, while Frederichs<sup>5</sup> places the date "about 1241." On the whole I am inclined to believe that he remained in office at least as late as 1244 or 1245. A careful contemporary chronicle states that the persecutions of heretics went on until 1241 and later.<sup>6</sup> In the summer of 1242 a preaching friar Robert, of Saint-Jacques, appears as one of the ex-

<sup>1</sup>Gerardus de Fracheto, *Vitae Fratrum Ordinis Praedicatorum*, ed. Reichert (Rome and Stuttgart, 1897), 292. The author entered the order in 1225 and lived mostly at Limoges; the work was composed between 1256 and 1260, but touched up afterward. Cf. the introduction, xvi., and pp. 4 and 5 of the text. Although the passage plainly refers to Robert, his name does not appear in the MSS. given by Reichert; but Echard (II. 543) states that the name appears in his own contemporary MS. One of the MSS. collated by Reichert adds that Robert began to sow discord at Clairvaux.

In view of this passage it is curious to see the efforts of certain modern Dominicans to clear Friar Robert's memory. Bremond, in his notes to Ripoll (*Bullarium Fratrum Praedicatorum*, I. 81) scolds Spondanus for accepting the statements of so untrustworthy a writer as Matthew Paris, whose works were interpolated by an heretical hand. Instead of being imprisoned later, Robert died at Saint-Jacques in 1235—"ut liquet ex priscis monumentis ejusdem conventus"! Choquet claims for him the glorious crown of martyrdom as the friar Robert who was killed at Avignonnet in 1242 (Fredericq, *Corpus*, I. p. 111). Proville (l. c.) thinks it unlikely that such a man as Robert could become suddenly perverted, believes him too old to have gone through so many religious orders, and finally takes refuge behind the absence of his name from the MSS. of Gérard. Danzas (*Études sur les Temps Primitifs de l'Ordre de S. Dominique*, IV. 470 ff.) gives extracts from the very chapter of Gérard, but does not mention Robert. Chapotin (l. c. 224) concludes that if Robert passed the bounds of justice and humanity, the Pope and the Dominican order did not fail to punish him. Echard alone, best scholar of them all, faces the facts squarely, declaring Robert "hominem ab ordine extorrem, nec iam ex ordine memorandum" (*Scriptores Ordinis Praedicatorum*, II. 543).

<sup>2</sup>The general of the Dominicans was authorized by a bull of July 7, 1246, to remove inquisitors, even when they had been appointed by the Pope, and appoint others in their stead. Douais, *Documents pour servir à l'Histoire de l'Inquisition en Languedoc*, xiv. A similar bull for the Franciscans had been issued in January of the same year (Potthast, 11993).

<sup>3</sup>*History of the Inquisition*, II. 116; *Formulary of the Papal Penitentiary*, 53, note.

<sup>4</sup>*Tribunaux de l'Inquisition*, 116.

<sup>5</sup>*Robert le Bougre*, 27, 32.

<sup>6</sup>Non solum istud factum est in isto anno [1236] sed ante per tres continuos annos et post per quinque continuos annos et plus. *Annals of St. Aldard of Soissons*, M. G. H. SS. XXVI. 522.

In Lea's *Formulary of the Papal Penitentiary*, 52, there is a letter addressed to "the archbishop of Sens and Friar R." concerning the penance of a follower of Simon

ecutors of a will in Flanders,<sup>1</sup> and the following January we find mention, in a Paris document, of a "clerk of Friar Robert of the order of the Preachers."<sup>2</sup> Robert's fall is not referred to by Mousket, who died in 1244 or 1245,<sup>3</sup> and indeed in April of one of these years the bishop of Arras gives notice of Robert's excommunication of Hukedieu.<sup>4</sup> On the other hand it is known that the friar died before 1263,<sup>5</sup> and from the account given of the various other orders through which he passed, it is plain that he must have left the Dominicans several years before.

In tracing the career of Friar Robert as an inquisitor we have had little occasion to speak of those engaged with him in the task of hunting out and punishing heresy. By the Pope's commission he had been directed to proceed, "with the advice of prelates, other Dominicans and experts,"<sup>6</sup> and as a matter of fact he does not often appear as acting alone. There is, it is true, but scant mention of other Dominican inquisitors, acting either individually or as his associates,<sup>7</sup> and the only instance of the employment of an "expert" is the presence at Châlons of the chancellor of the University of Paris, Philippe de Grève, an eminent theologian and a staunch de Montfort, who was to accompany Simon on his crusade. If we were to follow Bémont (*Simon de Montfort*, 12) in the statement that Simon took the cross after hearing of the defeat at Gaza, which occurred November 13, 1239, the document would belong to the year 1240, before the month of June, when Simon set forth for the East (Röhrich, *Geschichte des Königreichs Jerusalem*, 850). However, a bull of February 25, 1238 (Bliss, *Calendar of Papal Letters*, I. 167) shows that the crusade had been vowed as early as 1238.

<sup>1</sup> Testament of Arnoul d'Audenarde, June and August, 1242, in *Inventaire . . . des Archives de la Chambre des Comptes de Lille* (Lille, 1865), I. 307, Nos. 740, 741.

<sup>2</sup> Brièle et Coyecque, *Les Archives de l'Hôtel-Dieu de Paris*, 225, No. 466.

<sup>3</sup> Pirenne, in the *Biographie Nationale de Belgique*, XV. 329.

<sup>4</sup> The date is April, 1244, but as Easter fell on April 3 in 1244, and on April 16 in 1245, the document may belong to either of these years. Archives du Pas-de-Calais, A. 105; Fredericq, *Corpus*, I. No. 121.

<sup>5</sup> Quondam frater Robertus dictus Lepetit, tunc ordinis fratrum Predicatorum, in illis partibus inquisitor pravitatis hujusmodi. Bull *Constitutus* of Urban IV., October 29, 1263, in Chapotin, 224.

<sup>6</sup> Cum prelatorum et fratrum tuorum religiosorum sapientumque consilio. Bull *Dudum*, in Fredericq, *Corpus*, I. No. 101; Potthast, 9995; Auvray, 2735. On the advisers of inquisitors in general see Henner, *Beiträge zur Organisation und Kompetenz der päpstlichen Ketzergerichte*, 138 ff.

<sup>7</sup> A Dominican friar Jacques was with Robert in Champagne early in 1234 (see the documents printed above, p. 454), and a Franciscan acted with him in one instance at La Charité (Auvray, 2825; Potthast, 10044). Robert and the Paris prior also received joint commission of inquiry in one case (Auvray, 2221; Potthast, 9772). The only examples of independent action I have found are at Troyes, where the Dominican prior and a Franciscan of the same city appear as assigning penance (bull of March 11, 1236; Auvray, 3006; Potthast, 10114), and at Arras, where a modern history of the Dominican convent mentions Pierre Danvin, or Darwin, as inquisitor in 1238 (Proville, *Histoire du couvent des Dominicains d'Arras*, Bibliothèque Nationale MS. Fr. 11620, pp. 387). The case at Troyes must have been subsequent to 1232, when the Dominicans were expelled there (Chapotin, *Histoire des Dominicains de la Province de France*, 179).

upholder of orthodoxy;<sup>1</sup> but there is abundant evidence that the bishops of northern France were actively associated in the work of the inquisition. At Cambrai, besides the bishop of the diocese, he had with him the Archbishop of Rheims and the bishops of Arras, Tournai, and Noyon,<sup>2</sup> and all of these, except the last-named, were likewise present at Douai.<sup>3</sup> At Mont-Aimé the number of prelates was so great that Albericus enumerates sixteen and an eye-witness speaks of the presence of "almost all of the bishops of France."<sup>4</sup> Furthermore, it is plain from the words of the chroniclers that the presence of the bishops was not merely formal, but that they conducted the examination of the accused. We have specific statements to this effect relative to the persecutions at Cambrai and Mont-Aimé,<sup>5</sup> and the annals of St. Médard sum up the whole matter accurately when they say that "by the instrumentality of a certain preaching friar Robert, a great multitude of heretics was taken, examined, and convicted by archbishops, bishops, and prelates of the other ecclesiastical degrees."<sup>6</sup> Whatever may have been the practice in less celebrated cases, it is clear that the responsibility for the great burning of heretics in the north and in Champagne rests with the leaders of the French clergy quite as much as with the terrible friar.

Of the independent action of the bishops in the pursuit of heresy, the episcopal inquisition proper, we hear very little in northern France, either in the time of Friar Robert or later.<sup>7</sup> The absence of records is probably due in the first instance to the lack of any noteworthy proceedings to record, at least at a time when the papal inquisitor was taking the initiative so vigorously and the bishops were so busily occupied in considering the cases which he brought before them, and yet if the sources permitted a study of the relations of the papal inquisition to the local ecclesiastical authorities, we should probably hear more of the local jealousies of Dominican

<sup>1</sup> Albericus in M. G. H. SS. XXIII. 937.

<sup>2</sup> Mousket, vv. 28915, 28958-28961.

<sup>3</sup> M. G. H. SS., XXIV., 30.

<sup>4</sup> Fere omnes episcopi Francie. Étienne de Bourbon, *Anecdotes Historiques*, 150, and cf. 415. See further Albericus in M. G. H. SS. XXIII., 944, and Mousket, vv. 30535, 30536. Other examples of bishops associated with Robert are those of Clermont (Auvray 2825; Potthast 10044), Cahors (probably; Lea, *Formulary of the Papal Penitentiary*, XXXV., 1), and Arras (Fredericq, *Corpus* I., 121, and note), the Archbishop of Sens (Lea, XXXV., 2), and the Archbishop of Sens and the bishop of Troyes (Potthast, 10114; Auvray, 3006).

<sup>5</sup> Mousket, v. 28885; Étienne de Bourbon, 415. Cf. Albericus in M. G. H. SS. XXIII., 945.

<sup>6</sup> M. G. H. SS., XXVI. 522.

<sup>7</sup> The material for the episcopal inquisition in the Netherlands in this period has been collected by Fredericq, *Geschiedenis*, I. Ch. 6.

interference whose faint echoes reach us in the papal documents of the period.<sup>1</sup> The duties of the bishops in the suppression of heresy did not cease with the establishment of the Dominican inquisition, and some effort was certainly made to put new energy into the episcopal machinery for the detection and punishment of unbelief. In 1239 the provincial council of Tours sought to revive the old institution of the synodal witnesses by prescribing the appointment in each parish of three persons sworn to reveal all offenses concerning the faith.<sup>2</sup> Somewhat later, councils of the province of Sens decided to coerce obstinate excommunicates by bringing them before the council as heretics.<sup>3</sup> From the diocese of Tournai there has been preserved a proclamation against heresy, written in the Romance tongue, which was to be read in the parish churches every other Sunday,<sup>4</sup> and in the adjoining diocese of Théroutanne we find the bishop instructing the parish priests to see that the people do not fall under suspicion of heresy by remaining away from church.<sup>5</sup> Some actual cases of the pursuit of heretics by the bishop are also found, in the diocese of Troyes,<sup>6</sup> and in the diocese of Noyon, where in 1235 a priest was kept in close confinement in spite of his vigorous assertions of orthodoxy and proffers of proof,<sup>7</sup> while a few years later, the bishops of Cambrai, just over the northern frontier, showed their zeal for the suppression of heresy and social discontent at Antwerp.<sup>8</sup> At Paris, too, the bishops and the masters of theology kept a careful watch against theological error,<sup>9</sup> and the bishop's prison awaited those who persisted in upholding forbidden doctrines,<sup>10</sup> while

<sup>1</sup> Bulls *Dudum ad aliquorum murmur* and *Quo inter ceteras* of 1235. Auvray 2735-2737; Potthast, 9993-9995; Fredericq, *Corpus*, I. 100, 101, II. 28. For the late thirteenth century see Fredericq, *Geschiedenis*, I. 68-71.

There were also differences among the secular clergy, so that in a controversy with his suffragans the Archbishop of Rheims even went so far as to assert that some of them were tainted with heresy (Varin, *Archives Administratives de Reims*, I. 675; Potthast, 12062), but there is no evidence that the charge was substantiated.

<sup>2</sup> Mansi, XXIII. 497; Hefele-Knöpfler, V. 1083. Cf. also the council of Trier in 1238, in Fredericq, *Corpus*, I. No. 115, and for the south the councils cited in Hinschius, *Kirchenrecht*, V. 449, note 4.

<sup>3</sup> Concilium Parisiense, 1248, c. 20; Concilium Pruvinese, 1251. Mansi, XXIII. 768, 793; Hefele-Knöpfler, V. 1151, VI. 45.

<sup>4</sup> Fredericq, *Corpus*, I. No. 158 (undated, but evidently of the thirteenth century).

<sup>5</sup> Fredericq, *Corpus*, I. No. 99 (1235).

<sup>6</sup> Lea, *Formulary of the Papal Penitentiary*, XXXVII. 2.

<sup>7</sup> The case of Michel de Cerizy, Auvray, 2854.

<sup>8</sup> Fredericq, *Corpus*, I. Nos. 125, 126, 133; *Geschiedenis*, I. 84.

<sup>9</sup> See the notices of errors condemned in 1241, *Chartularium Universitatis Parisiensis*, I. No. 128; in 1247, *ibid.* No. 176; in 1270, *ibid.* No. 432; and in 1277, *ibid.* No. 473. Cf. also No. 522 and the documents relating to the condemnation of the Talmud, especially No. 178. On the condemnations of 1270 and 1277 see Mandonnet, *Siger de Brabant*.

<sup>10</sup> *Chartularium* I., No. 176. It is worth noting that the papal legate who acted when Master Raymond was condemned the second time uses the phrase "de bonorum consilio," so common in the inquisitorial documents of the south.



the time was coming when the University of Paris would virtually supplant the inquisition as an agency for the maintenance of orthodoxy in France.<sup>1</sup> Still, when all known instances of such sporadic local activity are enumerated, they make a small showing in comparison with the persistent labors of the papal inquisitors.

When we turn from the external history of the persecutions of heretics by Friar Robert and his associates to an examination of their procedure and the penalties which they inflicted, we are embarrassed by the scarcity of evidence and its one-sided character. An occasional summons, a few appeals from sentences in which appellants state their version of the case to the Pope, some forms of the papal penitentiary, and the incidental statements of the chroniclers, constitute our only sources.<sup>2</sup> This material is too fragmentary to serve as the basis of a special study of the methods of the inquisition, yet it is valuable as far as it goes and has been little used by the general writers on the subject;<sup>3</sup> and for the sake of comparison with the course of the papal inquisition elsewhere and with the earlier practice in northern France, it may be worth while to bring together what may be learned of the procedure of the inquisition in the north in the time of Gregory IX.

On his first visit to La Charité Friar Robert began with the usual preliminary sermon<sup>4</sup> exhorting heretics to return to the faith,

<sup>1</sup> Lea, II. 135 ff.

<sup>2</sup>The only cases in which we have any extended account of Robert's method of procedure are: At La Charité, the appeals of Pierre Vogrin (Sbaralea, *Bullarium Franciscanum*, I. 177; Auvray, 2825; Potthast, 10044) and Petronilla (Auvray, 3106) and the petition of Jean Chevalier (Chapotin, *Histoire des Dominicains de la Province de France*, 224), all of them statements by the accused (Cf. also the appeal of a certain M. of the diocese of Cahors in Lea, *Formulary of the Papal Penitentiary*, XXXVIII. 2). At Arras the excommunication of Hukedieu (Archives du Pas-de-Calais, A. 10<sup>5</sup>; Fredericq, *Corpus*, I. No. 121), where Robert's proceedings are described by the excommunicating bishop. At Paris (?) Richer's story of the woman who was compelled by magic to make a false confession (M. G. H. SS. XXV. 307). For the procedure of the episcopal inquisition in the same period we have only the case of the bishop of Noyon and Michel de Cerizy (Auvray, 2854); the earlier cases at La Charité should of course be compared.

<sup>3</sup>On the procedure of the inquisition in general see Lea, I. 399 ff.; Tanon, 326 ff.; Hinschius, V. 481 ff. Important information on the early procedure of the papal inquisition is afforded by certain consultations of the papal penitentiary, Raymond de Peñafoit, relative to the treatment of heretics in the province of Tarragona. See the *Moyen Age*, second series, III. 305-325; and *Raymundiana* (*Monumenta Ordinis Praedicatorum*, VI.), II. 41, 73. For Languedoc, in the years 1250-1267, see the elaborate study of the workings of the inquisition at Carcassonne in Molinier, *L'Inquisition dans le Midi de la France*, 273-451; the register of the *greffier*, upon which Molinier's account is based, and the important *Sentences* of Bernard de Caux and Jean de S. Pierre (1244-1248) have recently been published by Douais in his *Documents pour servir à l'Histoire de l'Inquisition dans le Languedoc*.

<sup>4</sup>On which see Tanon, 329; Hinschius, 458, note 3, 481; Forms of citation to such a sermon may be seen in Martène and Durand, *Thesaurus*, V. 1810; and in the *Nouvelle Revue Historique de Droit*, for 1883, 671.

with the result, so he tells us, that not only those who were specially summoned, but many who did not wait for his summons and some who were not even suspected, came forward to confess their error and undergo penance. Information was freely offered against others, parents even "denouncing their children and children their parents, husbands their wives and wives their husbands." Robert had as yet no special authority in France, but in the commission which he soon received from the Pope indulgence was promised to all who attended his preaching and assisted him in his work.<sup>1</sup> Prompt confession, where no accusation had been made, relieved the heretic from further pursuit, only a moderate penance being exacted;<sup>2</sup> and information against others was so much desired that even after sentence of death had been pronounced, a reprieve might be granted on promise of producing other victims.<sup>3</sup> From all accounts, Robert lent a ready ear to all accusations, and when his suspicions had once fastened on any one, it was difficult to secure release. At La Charité we have already seen his relentless pursuit of Pierre Vogrin, who had been twice acquitted by the episcopal inquisition,<sup>4</sup> and the same unwillingness to accept the findings of his predecessors was shown in the case of a certain Petronilla of the same town who also offered canonical purgation without success.<sup>5</sup> Particularly in the case of merchants, whose wandering life and close relations with Italy and southern France made them natural objects of suspicion, did the papal inquisition exercise unusual watchfulness. Thus a Florentine merchant who had talked with certain heretics whom he supposed to be orthodox and given their servants ten sous, first confessed to a Dominican and a Franciscan at Troyes, who assigned him penance; he then consulted the Pope, who after referring the matter to the bishop of Florence and receiving his report, approved by a cardinal, respecting the merchant's unblemished reputation in Italy for purity of faith, still found it necessary, after imposing penance, to have his orthodoxy further investigated in France by Friar Robert, the Archbishop of Sens, and the bishop of Troyes.<sup>6</sup> A man from the diocese of Cahors

<sup>1</sup> Bull *Gaudemus*, Fredericq, *Corpus*, I. No. 90.

<sup>2</sup> Si predictus G. non accusatus nec convictus sed sponte confessus est et suum confitetur errorem et ea que exiguntur in talibus, abiurata prorsus heretica pravitate, de absolutionis beneficio iuxta formam ecclesie provideatis eidem, iniungentes ei penitentiam salutarem et alia prout in similibus censure debite modus et ordo deposcunt. Lea, *Formulary* XXXV. 1; MS. Tours 594, f. 29 v., No. 141.

<sup>3</sup> Albericus in M. G. H. SS. XXIII. 945.

<sup>4</sup> Potthast, 10044; Auvray, 2825.

<sup>5</sup> Auvray, 3106.

<sup>6</sup> Bull *Ildebrandiscus* of March 11, 1236, printed in Sbaralea, *Bullarium Francicanum*, I. 188; *Raymundiana*, II. 49; Potthast, 10114; Auvray, 3006. Similar of November 23, 1234 ("Accurri" . . .) in *Raymundiana*, II. 27; Auvray, 2825.



who had once consorted with heretics and listened to their preaching confessed his error to the local authorities and was admitted to penance, but on coming north he was accused of heresy by his enemies and put in prison by Robert in spite of the letter of security which he carried.<sup>1</sup> Another case is that of Jean Chevalier, of La Charité, who had consorted with a woman suspected of heresy; though he established his own soundness in the faith upon examination, he was nevertheless condemned to an elaborate public penance, with the further threat that if he ever took usury or visited Lombardy he would be considered as a heretic and treated accordingly.<sup>2</sup>

The manner of citation before the inquisitors is illustrated most fully in a case from the later years of Friar Robert's activity, the facts being related by the bishop of Arras on the testimony of parish priests of his diocese, who constituted the usual intermediary between the inquisitor and the suspected party.<sup>3</sup> Robert proclaimed several times that the accused, a wool merchant named Henri Hukedieu, should appear before him at a place which he was ready to designate and should there answer the questions which the friar desired to propound; then in a public sermon a certain fair in Champagne was set as the time for the merchant to appear and establish his innocence, and after the time had elapsed without his coming, Robert excommunicated him as a heretic in a public sermon at Arras.<sup>4</sup>

That a formal examination preceded conviction is often stated by the chroniclers,<sup>5</sup> who sometimes describe the beliefs to which the heretics confessed,<sup>6</sup> but we are left very much in the dark as regards the nature of the proceedings. Usually, as we have seen, bishops were present and took an active part in the examination, but in two cases, of which we know, Robert appears to have conducted the trial alone. The woman of La Charité, Petronilla, was required to prove her assertion of innocence by the oath of three compurgators, but when she appeared for this purpose the friar declared that she had failed and put her in prison, along with her son-in-law, whose purgation had formerly been accepted.<sup>7</sup> In Richer's story of the pro-Pothast, 9772. These are a number of papal bulls of this period for the protection of Italian merchants in northern France, e. g., Auvray, 2842, 2843, 2857, 2764.

<sup>1</sup> Lea, *Formulary*, XXXVIII. 2; MS. Tours 594, f. 30 v., No. 148.

<sup>2</sup> Bull *Constitutus*, in Chapotin, 224.

<sup>3</sup> Cf. Tanon, 340; Henner, *Ketzergerichte*, 292. An order from the bishop of Auxerre to a priest of La Charité to summon a suspected person (1233) is cited in Lebeuf, *Mémoires concernant l'Histoire . . . d'Auxerre* (ed. Challe et Quantin), I. 411.

<sup>4</sup> Fredericq, *Corpus*, I. No. 121.

<sup>5</sup> See the passages cited above, apropos of the participation of the bishops.

<sup>6</sup> Étienne de Bourbon, *Anecdotes Historiques*, 149; Albericus, in M. G. H. SS. XXIII. 945.

<sup>7</sup> Auvray, 3106.

ceedings in the case of the woman under the influence of the *cartula* we have a case of enforced confession. Robert approaches her suddenly in public with the questions: "Are you not a heretic?" "Will you return to the Catholic faith?" "Would you rather be burnt than recant?" She admits the charges whereupon he calls the bystanders to witness her statements and puts her in prison. The same questions are repeated at a second examination, which is likewise public.<sup>1</sup> With the exception of these instances and the general statement of Matthew Paris that Robert punished the innocent as well as the guilty,<sup>2</sup> we know nothing of the rigor of the examination or the frequency of acquittal. It is at this stage in the proceedings, between accusation and conviction, that such appeals as have come down to us were lodged with the Pope. From an inquisitorial condemnation for heresy no such appeal was possible,<sup>3</sup> but in three of the cases we have been considering an appeal to the Pope was taken before sentence was pronounced, and in all three the Pope orders further investigation. In each instance, in addition to the innocence of the accused, some irregularity in the proceedings was alleged—either imprisonment in spite of a letter of protection,<sup>4</sup> or refusal to accept compurgation, followed by arbitrary imprisonment,<sup>5</sup> or in one case the violation of an agreement which had been made to guarantee a fair hearing, and excommunication after appeal had been taken.<sup>6</sup>

Impenitent heretics, after they had been condemned by the church, were regularly handed over to the secular power to suffer their "due punishment" of death by burning. Whatever the origin of capital punishment for heresy in the Middle Ages, whether it was inherited from the legislation of the Roman emperors or was introduced from the popular practice of the Germanic nations,<sup>7</sup> by the middle of the thirteenth century the stake had become the regular

<sup>1</sup> M. G. H. SS., XXV. 307.

<sup>2</sup> *Ibid.*, XXVIII. 147, 326.

<sup>3</sup> Tanon, 435; Hinschius, V. 467.

<sup>4</sup> Lea, *Formulary*, XXXVIII. 2.

<sup>5</sup> Auvray, 3106.

<sup>6</sup> Pierre Vogrin; Potthast, 10044.

<sup>7</sup> The theory of the Germanic origin of the laws for the execution of heretics is worked out in the classical monographs of Ficker, *Die gesetzliche Einführung der Todesstrafe für Ketzerei*, in the *Mittheilungen des Instituts für Oesterreichische Geschichtsforschung*, I. 177-226, 430, and Havet, *L'Illérisie et le Bras Séculier au Moyen-Âge*, in the *Bibliothèque de l'École des Chartes*, XLI. 488-517, 570-607 (and in his *Œuvres*, II. 117-180). Their results have been accepted by Lea (I. 222), Fredericq (*Geschiedenis*, I. chs. 7-9), Hinschius (*Kirchenrecht*, V. 379), and Hansen (*Zauberwahn, Inquisition und Hexenprozess*, 220 ff.). The Roman origin of the penalty is upheld by Tanon, 441 ff. (Cf. also Viollet, *Établissements de S. Louis*, I. 253; and Guilhermiz in the *Bibliothèque de l'École des Chartes*, LV. 383.)

penalty in northern Europe, a penalty which prefigured, it was declared, the unquenchable fire of the world to come.<sup>1</sup>

Those who repented of their heresy were admitted by the church to undergo penance.<sup>2</sup> The most severe form, reserved for those who repented from fear of death, consisted of perpetual imprisonment, either in the milder form of detention within the prison walls (*murus largus*) or in the harsh solitary confinement of a narrow cell (*murus strictus*), where in many cases the prisoner was also chained to the wall.<sup>3</sup> A less severe but exceedingly humiliating form of punishment, often substituted for imprisonment, was the *poena confusibilis* of wearing some conspicuous sign of infamy, such as a yellow cross on the breast and back. For lesser degrees of guilt the ordinary penances of pilgrimages and pious observances could be prescribed in the discretion of the judge. In the case of priests the more serious punishments for heresy must be preceded by degradation from orders, but so great was the difficulty of getting together the number of bishops canonically required to perform this act that it was early found necessary to simplify and expedite the procedure so that the diocesan might act alone with the advice of such as he might summon from his diocese.<sup>4</sup>

These general principles of inquisitorial practice Friar Robert seems to have observed. "Many he consumed with avenging

<sup>1</sup> Philippe de Grève, chancellor of the University of Paris, says of the baker of Rheims burnt in 1230: *Translatus est ad furnum temporalis poenae et deinde ad furnum gehennae* (Hauréau, *Notices et Extraits de quelques Manuscrits*, VI. 241). Caesar of Heisterbach (ed. Strange, I. 298) and Guillaume le Breton (*Philippide*, I. 418 ff.) use similar phrases. So also Jean de Garlande, *De Triumphis Ecclesiae*, ed. Wright, 79:

De morte hereticorum mala.  
Excrecit fatua ficus, ficulnea mundi  
Quam paris, hanc urit flamma, gehenna cremat.  
Latrantes et aves direpta cadavera rostris  
Asportant, animas nigra caterva legit.

<sup>2</sup> On the penances of the inquisition see Lea, I., ch. 12; Tanon, 479 ff. Besides the texts there cited see Lea, *Formulary of the Papal Penitentiary*, 50-60; and the manual of procedure prepared by the Archbishop of Tarragona in consultation with the papal penitentiary, Raymond de Peñafof published by Douais in the *Moyen Age*, second series, III. 305-325.

<sup>3</sup> For an early instance of close confinement see the bull of Gregory IX. to the Abbot of La Cava, March 4, 1231, Auvray, 562.

<sup>4</sup> The undated bull of Gregory IX. to this effect which was inserted in the canon law (c. I. in Sexto, V. 2) was probably called forth by some case in northern France in this period, since it is addressed to the Archbishop of Rheims and his suffragans and since its omission from the Decretals indicates that it was issued after their publication in September, 1234. There are earlier bulls to the same effect addressed to the bishop of Strassburg, October 19, 1232 (Auvray, 933; Rodenberg, *Epistolae*, I. No. 485), to the Archbishop of Bremen, November 12, 1232 (Potthast, 9042), to the Archbishop of Salzburg, November 22, 1232 (Winkelman, *Acta Imperii Inedita*, I. 504; Potthast, 9046), and to the prelates of southern France, April 19, 1233 (MS. Doat XXXI. 19; Potthast, 9356). Cf. also Hinschius, *Kirchenrecht*, V. 61, note 1.

flames, many he handed over to perpetual prison," says one chronicler.<sup>1</sup> Another states the distinction more exactly: "Some were shut up in prison to do penance, others who refused to renounce their heresies were consumed by fire."<sup>2</sup> Burial alive is mentioned by one chronicler,<sup>3</sup> but in the account of the persecutions in the north, where fifty met their death, at Châlons, and at Mont-Aimé, it is expressly stated that the heretics were burnt. We have specific mention of the use of imprisonment as a penalty at Douai, in the region of Lille,<sup>4</sup> and at Cambrai, where the number left in prison, variously stated at eighteen and twenty-one, was almost exactly equal to the number burnt.<sup>5</sup> The *poena confusibilis* also appears at Cambrai, where three women were "marked," and at Douai, where the penitents were shaved and sentenced to wear crosses.<sup>6</sup> At La Charité one of the first results of Robert's preaching was the great number of people who appeared voluntarily before him for penance, having already placed wooden collars about their necks.<sup>7</sup> Of the less rigorous forms of penance few examples have been preserved. There is an instance of exile to Constantinople,<sup>8</sup> and one man who had made voluntary confession was ordered to take the cross and accompany Simon de Montfort to the east, as well as to attend divine service whenever opportunity offered and to lay aside linen and fast every Friday for the rest of his life.<sup>9</sup> At La Charité Robert, besides prescribing religious observances of this character, publicly forbade penitents to carry arms or take usury or go into Lombardy, under pain of being condemned as heretics.<sup>10</sup>

The practice of the inquisition in northern France also illustrates certain of the secondary consequences of conviction for heresy—civil and ecclesiastical disabilities, destruction of houses, and con-

<sup>1</sup> M. G. H. SS. VI. 440; XXVI. 215.

<sup>2</sup> *Ib.*, XXVI. 522.

<sup>3</sup> *Ib.*, XXVIII. 133. Frederichs seeks to interpret the words "*vivos sepeliri*" as merely a slightly exaggerated way of describing the close imprisonment of heretics, but Tanon has shown that burying alive was not an unknown form of punishment in the thirteenth century. *Tribunaux de l'Inquisition*, 117; *Histoire des Justices des Anciennes Églises . . . de Paris*, 29–33; (for an instance of its employment to punish unnatural vice see Lea, *Formulary*, XVI.). It should be observed that the totals would be far too small if the imprisoned were reckoned in.

<sup>4</sup> Mousket, vv. 28986, 29006.

<sup>5</sup> *Ib.*, 28966; Albericus, in M. G. H. SS. XXIII. 937.

<sup>6</sup> Mousket, 28964, 28984, 28985.

<sup>7</sup> Fredericq, *Corpus*, I. No. 90.

<sup>8</sup> Mousket, vv. 29002, 29003.

<sup>9</sup> Lea, *Formulary*, XXXV. 2; MS. Tours 594, f. 29 v, No. 142. For a similar penance imposed by the bishop of Troyes, see Lea, XXXVII. 2 (where the rubric should read "*crimine*" instead of "*elemosine*"): MS. Tours 594, f. 30, No. 146.

<sup>10</sup> Bull *Constitutus*, in Chapotin, 224.

fiscation of property. The papal statutes of 1231 excluded the sons and grandsons of heretics from holding ecclesiastical offices or benefices,<sup>1</sup> but in a case from the diocese of Tournai it was held that this provision was not retroactive,<sup>2</sup> and dispensations from the disability might be granted.<sup>3</sup> It was a further principle of the legislation against heresy that the houses of heretics should be destroyed and their sites remain deserted, but as this seriously diminished the profits arising from the confiscation of heretics' property, it was not rigidly enforced.<sup>4</sup> The forfeiture of the property of heretics, inherited from the Roman law of lese-majesty, had been accepted as a principle by the church as early as the time of Innocent III. Conviction of heresy regularly carried with it confiscation, the property becoming at once subject to seizure by the secular power.<sup>5</sup> The various applications of this principle, which presented a constant temptation to the cupidity of princes and was ultimately made to furnish the means for the support of the inquisition itself, it is not necessary to follow out here. In France confiscation is decreed against the heretics of the south by the legislation of Louis VIII. and Louis IX.,<sup>6</sup> and while no similar ordinance has been preserved for the northern portion of the kingdom, the customary law of this region explicitly states that the property of the condemned heretic goes to his lord.<sup>7</sup> The heirs of the heretic lost all share in his estate, but both king and pope sought to protect the dower rights of orthodox wives,<sup>8</sup> and there exists, from Friar Robert's time, a decision of the king's court regulating the respec-

<sup>1</sup> Fredericq, *Corpus*, I. No. 79. The statutes mention other disabilities as well.

<sup>2</sup> Lea, *Formulary*, XLI; MS. Tours 594, f. 31, No. 151. On the date cf. Fredericq, *Corpus*, II. No. 21.

<sup>3</sup> Case of a monk of La Charité in Lea, *Formulary*, XL., where the address should begin, "De Caritate priori"; MS. Tours 594, f. 31, No. 150.

<sup>4</sup> See in general Lea, I. 481-483; Tanon, 519-523. Douais, in the *Revue des Questions Historiques* for October, 1881, p. 411, cites an order of 1329 for the destruction of houses at Carcassonne (*Cabinet Historique*, XI. 163) as "the first, and perhaps the only, sentence of the sort"; but as early as 1255 Alexander IV. had permitted the prior and convent of La Charité, as temporal lords of the town, to rebuild houses which had been destroyed by order of papal inquisitors. Bourel de la Roncière, *Régestes d'Alexandre IV*, No. 817.

<sup>5</sup> On confiscation see Lea, I. ch. xiii.; Tanon, 523 ff.; and the references in Henner, *Ketzergerichte*, 232.

<sup>6</sup> *Ordonnances des Rois*, XII. 319; I. 50.

<sup>7</sup> *Livre de Justice et Plet*, 12; *Établissements de Saint-Louis* (ed. Viollet, II. 147, III. 50; Beaumanoir, ed. Salmon, §833.

<sup>8</sup> Ordinance of 1259 in the new *Histoire de Languedoc*, VIII. 1441, and *Ordonnances des Rois* I. 63. Bull of Gregory IX. of 1238 cited in Tanon, 532; Innocent IV. in c. 14 in Sexto, V. 2. In 1269 the dower of the widow of a certain "Henricus Bougrius" was charged against the royal treasury (roll of the *bailliage* of Amiens, *Bibliothèque de l'École des Chartes*, XXVIII. 621). For definition of the conditions under which the wife might claim, see *Livre de Justice et Plet*, 13, and cf. Beugnot, *Olim*, I. 579.



tive rights of wife and lord.<sup>1</sup> That the king derived pecuniary profit from the property of heretics in northern France is shown by entries in the royal accounts of the period,<sup>2</sup> but the sums there collected were paltry enough in comparison with the proceeds of confiscation in Languedoc.<sup>3</sup>

Any consideration of the relation of the secular power to the inquisition in northern France must necessarily be brief because of the scarcity of information. Louis IX., as would be expected in the case of a sovereign of such piety and zeal for the Christian faith, was a declared enemy of heretics, considering it a king's duty to expel them from his kingdom,<sup>4</sup> and even declaring that a knight ought to kill with his own sword any one whom he knew to be an unbeliever.<sup>5</sup> He was moreover a staunch friend of the Mendicant Orders, by whom he had been educated,<sup>6</sup> and not only showed special favor to the inquisitors who came to him on the business of their office,<sup>7</sup> but gave to the inquisition the firm support of the royal administration. If we may judge from the ordinances issued for the southern portions of his kingdom, the king's officials were ordered to give active assistance by hunting out heretics and bringing them before the proper ecclesiastical authorities, and by executing promptly the

<sup>1</sup> Li jugement des Bougres qui furent ars au tans frere Robert. Si fu teus fais en le cort le Roy Loëys de France que tout li Arctage ki viennent naissant de par le Bougre qui est jugé a ardoir vif doivent demourer quitement au Seigneur dont il muet, sauf cou que li feme de ce Bougre si a sen douaire tant quele vit, et après se mort revient au Seigneur dont il muet [sauf cou que li feme de ce bougre si a sen douaire tant quele vit, et après se mort revient au Seigneur] perpetuellement; et en tous les aquests kil ont acquis ensanle li feme et si oirs en ont la moitié, et li sires lautre moitié, et en cele moitié doit li feme avoir sen Douaire tant quele vit, et après sen décès doit venir au Seigneur dont li victages [arctages?] muet. *Livre Rouge de Saint-Vaast*, f. 157 of the modern copy in the Archives du Pas-de-Calais at Arras (H. 2).

<sup>2</sup> H. F. XXI. 237, 252. Cf. the *Annals of S. Médard*, M. G. H. SS. XXVI. 522.

Among the others who benefited by confiscations in the north we find the Count of Champagne (see the documents on Gile printed on p. 455, where the count's right is disputed by the collegiate church of St. Quiriace at Provins), and the prior of La Charité as temporal lord of the town (Bourel de la Roncière, *Régestes d'Alexandre IV*, 871). On the practice in the case of condemned ecclesiastics there is little evidence in the early period; the only case I have found in the north is in the diocese of Noyon, where the bishop took the horse and perhaps other personal effects of the accused (Auvray, 2854).

<sup>3</sup> See Douais, *Documents*, ccxv, ccxxvii. An example of the sums which confiscation might yield is afforded by the inventory of the property of certain heretics of the south in 1261, which gave a net return of 1413 livres 9 s. 10 d. to the treasury. "Bona Petri Bermundi" Archives Nationales, J. 306,85, to be published in part in the fourth volume of the *Layettes du Trésor des Chartes*.

<sup>4</sup> Instructions to his son, edited by de Wailly in the *Bibliothèque de l'École des Chartes*, XXXIII. 440, c. 32; Joinville, ed. de Wailly (1868), 265; Guillaume de S. Pathus (ed. Delaborde), 26.

<sup>5</sup> Joinville, 19; Guillaume de S. Pathus, 25.

<sup>6</sup> See the biographies of St. Louis and the royal accounts, passim, and cf. Danzas, *Études sur les Temps Primitifs de l'Ordre de S. Dominique*, III. 408 ff.; and Chapotin, *Dominicains de la Province de France*, 494 ff.

<sup>7</sup> Guillaume de Chartres, in H. F. XX. 33.

sentences pronounced against them, while a reward was promised to any who assisted in the capture of heretics and those who attempted to shield or harbor them were threatened with confiscation of goods and civil disabilities.<sup>1</sup> In 1233 the cause of the inquisition at La Charité was especially commended to the favor of St. Louis by the Pope,<sup>2</sup> and the labors of Friar Robert there and elsewhere were performed with the King's aid and under his authority.<sup>3</sup> The King's officers carry out the friar's sentences, the King's soldiers accompany him as a guard,<sup>4</sup> the King and Queen themselves take a personal, and it must be said a merciful, interest in his proceedings and the fate of his victims.<sup>5</sup> There is no record that the sovereign attended in person any of the executions for heresy, but there is mention of the presence of certain of the great feudatories, Countess Jeanne of Flanders at Douai, and Thibaut IV. of Champagne at Mont-Aimé.<sup>6</sup> After Friar Robert's fall the same policy seems to have continued. In the accounts of the year 1248 the expenses of friars inquisitors are charged against the royal treasury at several places in the north,<sup>7</sup> and at various times we find the cost of the imprisonment and execution of heretics defrayed by the King's agents<sup>8</sup>; while it was at the King's special request that Alexander IV. gave more effective organization to the French inquisition in 1255.<sup>9</sup>

It is not the purpose of this article to follow the vicissitudes of the

<sup>1</sup> Ordinance for the south, beginning "Cupientes in primis aetatis," *Ordonnances des Rois*, I. 50. A lost ordinance of St. Louis, "Cupientes in favorem," which probably related to the north, is cited by Philip VI. *Ordonnances des Rois* II. 41; cf. Fredericq, *Corpus*, II. Nos. 20, 55; *Geschiedenis*, I. 112. Ordinances of St. Louis concerning heresy and a letter patent directing the "dukes, counts, etc., to aid the inquisitors of heretical pravity," are mentioned in the contents of a lost formulary of the royal chancery. Langlois, *Formulaires de Lettres*, VI. 3, 14, Nos. 1, 318.

<sup>2</sup> Auvray, 1145.

<sup>3</sup> Mousket, vv. 28881, 28882:

Et par la volente dou roi  
De France, ki len fist otroi.

Matthew Paris (*Chronica Majora*, III. 520; M. G. H. SS. XXVIII. 146): Ad-jutus brachio saeculari, et domino rege Francorum impendente subsidium.

<sup>4</sup> Mousket, vv. 28912-28914:

Cil Robiers, o lui siergans vint;  
Quar li rois le faisoit conduire,  
Pour cou con ne li vosist nuire.

Matthew Paris, *Historia Anglorum*, II. 388: Qui eidem Roberto auxilium praestitit militare. Sbaralea, *Bullarium Franciscanum*, I. 178: Ad locum ipsum manu veniebat armata.

<sup>5</sup> Mousket, vv. 28899 ff. Cf. Berger, *Blanche de C. stille*, 295.

<sup>6</sup> M. G. H. SS. XXIV. 30; XXIII. 944.

<sup>7</sup> H. F. XXI. 262, 264, 268, 269, 273, 274, 276, 280, 281. Cf. also the account of Paris for the Ascension term, 1255, *Bibliothèque de l'École des Chartes*, XXVIII. 618.

<sup>8</sup> H. F. XXI. 262, 274, XXII. 570, 745; *Bibliothèque de l'École des Chartes*, XXVIII. 621. Cf. H. F. XXI. 227, 237; Tillemont, *Histoire de S. Louis*, II. 292.

<sup>9</sup> Bull *Prae cunctis mentis* of December 13, 1255, Potthast, 16132; Fredericq, *Corpus*, I. No. 132.

inquisition under the successors of Gregory IX. The legislation of Innocent IV. was of great importance in the firm establishment of the inquisition and the development of its procedure, but it is directed primarily against the heretics of Languedoc and Italy, and touches only in the most general way upon conditions in northern France.<sup>1</sup> Alexander IV. devoted more attention to affairs in the north, and to his pontificate belongs the definite organization of the French inquisition under the direction of the Dominican prior provincial at Paris, who finally came to exercise control over the south as well.<sup>2</sup> "Little remains to us of the organization thus perfected over the wide territory stretching from the Bay of Biscay to the Rhine."<sup>3</sup> In 1248 the almost universal silence of the contemporary records is broken by the royal accounts, which reveal heretics in prison at Paris, Sens, and Corbeil, and inquisitors supported by the King in a dozen different districts of northern France.<sup>4</sup> Three inquisitors are mentioned by name at Paris in 1255<sup>5</sup>; in 1277 and 1278 Simon du Val, "inquisitor in the kingdom of France," was at work at Orleans, at St. Quentin and in Normandy;<sup>6</sup> and in 1285 Friar Guillaume d'Auxerre appears as inquisitor in Champagne and Brie.<sup>7</sup> The record of their condemnations has disappeared even more completely than the names of the inquisitors. A woman burnt at Pontoise in 1261, presumably for heresy,<sup>8</sup> a payment of dower to a heretic's widow in 1269,<sup>9</sup> a conflict of jurisdiction in 1272 between the bishop of Auxerre and the prior of La Charité<sup>10</sup>—such are the scattered notices of the victims of the French inquisition in the later thirteenth century. "The laborers were vigorous, and labored according to the light which was in them," concludes Mr. Lea, "but the men and their acts are buried beneath the dust of the forgotten past. That they did their duty is visible in the fact that heresy makes so little figure in France, and that the slow but remorseless extermination of Catharism in Languedoc was not accompanied by its perpetuation in the north."<sup>11</sup>

CHARLES H. HASKINS.

<sup>1</sup> See for Languedoc, Douais, *Documents*, xiii-xxii; for Italy, the bulls of 1254 in Berger, *Régestes d'Innocent IV.*, 7790-7802, 8310-8313.

<sup>2</sup> Fredericq, *Corpus*, I. Nos. 130 ff.; Douais, *Documents*, xxii-xxv; Lea, II. 119; and particularly the excellent account in Fredericq, *Geschiedenis*, I. ch. 5, where the papal legislation affecting the inquisition in the north is followed through to the time of Boniface VIII.

<sup>3</sup> Lea, II. 120.

<sup>4</sup> H. F. XXI. 262, 264, 268, 269, 273, 274, 276, 280, 281.

<sup>5</sup> Royal account, in *Bibliothèque de l'École des Chartes*, XXVIII. 618.

<sup>6</sup> Martène and Durand *Thesaurus*, V. 1810-1813; Lea, II. 120; Fredericq, *Geschiedenis*, I. 60-63; Mandonnet, *Siger de Brabant*, CCLXIII.

<sup>7</sup> Lea, II. 121, citing MS. Doat, XXXII. 127.

<sup>8</sup> H. F. XXII. 745 A.

<sup>9</sup> *Bibliothèque de l'École des Chartes*, XXVIII. 621.

<sup>10</sup> *Gallia Christiana*, XII. Instr., 173.

<sup>11</sup> Lea, II. 120.

## EUROPEAN ARCHIVES<sup>1</sup>

I AM asked to tell you something about European archives—a vast subject for a twenty-minute talk. What I know about European archives is a much smaller theme; yet even that will bear cutting. Precluded from the outset is the method of that masterly study in which a half dozen years ago an American scholar gave to the world its best account of the archives of the Vatican.<sup>2</sup> May we have more such papers. But such must deal with European archives singly. Be it mine in homelier fashion to acquaint you with them all. So broad a treatment must begin with the rudiments. Will you pardon me, then, if, forgetting the riper scholars before me, I address myself for a little to those who know of the archives of Europe no more than did I not so very long ago?

First of all: Archives are *not* to manuscripts—as I, at least, once supposed—what libraries are to printed books. Book manuscripts—chronicles, journals, all that has literary form or substance—belong, like printed books, to libraries. In archives seek only documents, *i. e.*, official and legal papers: edicts, treaties, charters, writs, wills, deeds, minutes, registers, yes and official correspondence. But not all documents. Look not there for those of current history. Such cannot yet leave the keeping of their authors or owners. Only when the transactions they record are closed, and the secrets they contain can safely be shared, will they be merged in the archives. The depositories in which they meanwhile rest—if they belong to the bureaus of a government—are technically known as *registratures*, and are not open to the public. Thus, in England, diplomatic correspondence prior to 1850 may be sought in the national archives—the Public Record Office; but only that previous to 1760 may be seen without special permission from His Majesty's Secretary of State, while all that of later date than 1850 remains still in the jealous custody of the Foreign Office. So, in France, the hesitant ministry of Foreign Affairs at last lays freely before the public (though in its own archives) all antedating

<sup>1</sup> A paper read at the meeting of the American Historical Association (December, 1901). Despite its somewhat colloquial form, I have preferred to print it (save for one or two minute corrections) precisely as delivered, adding only a few foot-notes to indicate its printed sources or to suggest where further information may be found.

<sup>2</sup> The allusion is, of course, to Professor Haskins, whose study on *The Vatican Archives* was printed in the AMERICAN HISTORICAL REVIEW for October, 1896.

September 14, 1791, and with restrictions all to May 30, 1814; but nothing later. In Italy they will show you documents to 1815; in Holland to 1813; in Denmark only to 1750.<sup>1</sup>

Not the newest documents, then, are in the archives. But not the oldest either. Archives there have been, indeed, almost from the dawn of history. Egyptians, Assyrians, Medes, Hebrews, Phœnicians, Greeks, Romans, all, as we know, had their documents and their depositories for them—temple or palace or archive building; but all these archives were long ago ruined or scattered. Such remnants as are ours must be sought in libraries or in museums. To modern archives they have left nothing but their name and the fruitful tradition of their methods. The new Germanic kingdoms of the west, Goth and Lombard and Frank, Meroving and Karling, had too their archives, aping in such crude fashion as they could their Roman models; but these are likewise gone without a trace, a prey to inroad and to feudal chaos. If to-day in the museum-room of the French national archives there are displayed with pride the papyrus charters of Merovingian kings, it is not that there they were preserved. They owe their safety to quite another asylum.<sup>2</sup>

For, happily, one place of refuge baffled even the fury and the neglect of the Dark Ages. It was to church and to abbey that even secular princes turned for the shelter of their records; and all that is left us of the documents of the earlier medieval centuries we owe to them. The oldest archives of Europe are those of the Church, and the oldest of all those of the bishops of Rome. From the fourth century, at least, their existence is certain. Yet even here, as Professor Haskins has told us, what is left from the early Middle Ages is only a gleanings. The extant continuous records begin only with Pope Innocent III., at the end of the twelfth century. If this be true of Rome, how much more of the lesser centers of ecclesiastical life. For centuries almost nothing is left us save title-deeds to property—the record of pious donations and of the prayers which were their meed—with here and there perhaps a scrap of ecclesiastical legislation.

<sup>1</sup> Yet it is rash to name these limits positively. With the bettering of good faith in international intercourse and with the growing conviction that the truth is less damaging than the suspicions bred by concealment, these restrictions are constantly being cut down. The statement as to England, corrected from my address as delivered, I have from the Record Office itself, under date of April 28, 1902. For the permission of the Secretary of State any other than British subjects must apply through their diplomatic representative.

<sup>2</sup> For the following sketch of the rise of European archives I am especially indebted to Franz von Löher's *Archivlehre* (Paderborn, 1890), to H. Bresslau's *Handbuch der Urkundenlehre für Deutschland und Italien*, I (Leipzig, 1889), and to the excellent article on "Archives" by Arthur Giry in the *Grande Encyclopédie*.

Civil archives passed out of thought. The Holy Roman Empire itself, in spite of imperial traditions and of the pattern of her papal rival, was for centuries content with such store of public records as her migrant emperors and their clerkly chancellors could drag with them from place to place. Of "archives of the Empire," there begins to be mention just at the middle of the twelfth century,<sup>1</sup> but the phrase is puzzling, and, according to our best authority on imperial diplomatics, it was not till when, a half century later, the Hohenstaufen princes learned in their new Sicilian realm that business-like administration which Norman had there been taught by Saracen, that they first brought system into the custody of the imperial documents.<sup>2</sup> Yet rude enough it must still have been, for when, at the beginning of the fourteenth century, the Emperor Henry VII. made his fatal coronation-journey into Italy, the archives not only journeyed with him, but, left stranded there by his death, may still be found, in great part, at Pisa and Turin.<sup>3</sup> Nor is there reason, from what is left, to suppose that they contained aught older than the just preceding days of Rudolf of Habsburg. It was a century later when, under Kaiser Sigismund, it was at last established that an Emperor's archives pass to his successor in office, even when not his heir by blood; and only from the year 1422 can one speak of the archives of the Empire as a stable institution. As a *group* of institutions let me rather say; for, though the Imperial Court-Archives (*Reichshofarchiv*) came to rest with the Habsburgs at Vienna, one must almost to our day seek those of the Archchancery (*Reichskanzlei*), at Mainz, those of the Supreme Court of Justice (*Reichskammergericht*), at Wetzlar, those of the Diets at Ratisbon; and the two last-named collections are still at large.<sup>4</sup>

Ambulant, too, till late in the twelfth century were whatever of archives belonged to the kings of France. It was only when, in 1194, at Fréteval, Philip Augustus had the chagrin to leave his archives, with the rest of his baggage, in the victorious hands of Richard of England, that he had the good sense to quit the itinerant system and to establish at Paris that *Trésor des Chartes*, out of which

<sup>1</sup>"*In archivis imperii*," 1146. See Bresslau, I. pp. 134-137. Cf. also F. v. Löher, *Archivlehre*, pp. 58-61.

<sup>2</sup>Bresslau, I. p. 135.

<sup>3</sup>Löher, p. 94; Bresslau, pp. 140-142.

<sup>4</sup>Those of the *Reichskanzlei* are now for the most part at Vienna. Of those of the *Reichskammergericht* only so much as relates to the old Empire in general, to the lands now Prussian, and to the lost outlying provinces (like Switzerland and the Low Countries) still remains at Wetzlar; what concerned the other German states or their citizens has since 1845 been distributed to their local archives. See Löher, pp. 187, 196.

have grown in our day the French national archives. True, for two or three centuries prior to the Revolution it received almost no accessions, the ministers of the state seeming to count the official papers of their bureaus as private property, to be dispersed or appropriated at their pleasure; but when, with the Revolution, there fell both the Old Régime and the Church, there could be drawn together at Paris from all France, not only such administrative and judicial papers as had survived, but almost all the ecclesiastical and baronial archives of the realm. It is this mass, or rather so much of it as was spared by the Revolutionary vandalism and by the sifting prescribed by the Convention, which, now merged with the ancient archives of the crown, forms the wealth of the Archives Nationales.<sup>1</sup>

And even the public records of England, which in age as in fullness surpass all others in Europe, begin but a little earlier. They too date, in orderly sequence, only from the early twelfth century.<sup>2</sup>

But the example thus set by the greatest secular authorities was eagerly followed by the lesser. The Bavarian archives, to-day the oldest and richest in Germany, were in order before the Empire's.<sup>3</sup> In the course of the twelfth and thirteenth centuries not only all leading governments and princely houses, but even the pettier feudal lords and the rising towns as well, had begun to hoard their records; and by the fourteenth even the burgher families and the notaries had caught the infection. From this time forth, archives multiplied apace, and slowly took on system and thoroughness. The scribbling sixteenth century brought them to their full activity, which not even the turmoil and ravage of the seventeenth could seriously interrupt. In 1770 there are known to have been, in Paris alone, no less than 405 treasuries of archives; and the number in all France at the end of the ancient régime is reckoned by Arthur Giry at more than 10,000.<sup>4</sup> Nor is there reason to suppose that the rest of Europe fell behind.

It was the task of the nineteenth century, with its absorption of small states, its secularization of convents, its apotheosis of nationality, its scientific spirit, to gather into great central archives this wealth of documents and to make it accessible to historians. Yet

<sup>1</sup> For all this see H. Bordier, *Les Archives de la France* (Paris, 1855), and for an admirable briefer sketch, brought down to the present, Giry's article "Archives" in the *Grande Encyclopédie*.

<sup>2</sup> S. R. Scargill-Bird, *Guide to the Documents in the Public Record Office* (London, 1891), p. iii.

<sup>3</sup> Their beginnings, or at least the beginnings of their consecutive contents, belong to the early thirteenth century (Bresslau, p. 149). January 1204 is the date of the first document of the *Monumenta Wittelsbacensia*.

<sup>4</sup> *Grande Encyclopédie*, article "Archives."



neither the one nor the other has been accomplished to such an extent as is often supposed. The great attempt of Napoleon, in 1810, to centralize at Paris all the archives of Europe was brought to naught, in 1814, by that dreamer's fall; and the thousands of wagon-loads which had come trundling over Pyrenees and Alps and Rhine, from Simancas, from Turin, from Rome, from Vienna, from Holland, went trundling back again, not without some dropping of their treasures in the mud.<sup>1</sup> In most European lands not even the archives of the state, though now for the most part under a single control, are gathered into a single repository. Even in England it is only within the last half century that the public records as a whole have been put in the care of the national archivist—quaintly called the Master of the Rolls—and their more important deposits drawn together within the spacious halls of the new Record Office. Of the almost countless lesser collections there is not yet even an inventory, save as one can glean it from the reports of the Historical Manuscripts Commission.

In Prussia, and yet more in Austro-Hungary, the several provincial archives maintain their integrity against those of the dynastic capital. Even in Bavaria, it is only the documents of earlier date than the fifteenth century that are centralized at Munich; though the admirable system by which papers may be transferred at wish between the provincial archives and the capital makes this scarcely a hindrance to research. And if, in the Netherlands, the Rijksarchief at the Hague has, to the great convenience of American scholars, succeeded in adding to its other wealth the vast commercial records of the two great trading corporations—the Dutch East India Company and the Dutch West India Company—which so long shaped or shared the fortunes of Orient and Occident (nay, has now at last drawn into the same complex of buildings the rich private archives of the House of Orange), in Spain, not less important to the transatlantic student, not only do the archives of Aragon and of Navarre remain at Barcelona or at Pampeluna, but those of

<sup>1</sup> A classed table of these foreign archives gathered at Paris by Napoleon is printed at the end of H. Bordier's *Les Archives de la France* (Paris, 1855). Interesting details both as to the seizure and as to the return of the German archives may be found in an article by H. Schlitter on "Die Zurückstellung der von den Franzosen im Jahre 1809 aus Wien entführten Archive, Bibliotheken und Kunstsammlungen," in the *Mittheilungen des Instituts für österreichische Geschichtsforschung* for 1901 (Bd. XXII., pp. 108-122). I have in my keeping, at Cornell University, a manuscript which is known to have belonged to the library of a famous German city at the end of the eighteenth century, and which probably, carried off by the French, fell into the mud from their overloaded wagons, as others are known to have done. Such, at least, is the conjecture of the present librarian-archivist of the town; and it squares well with the appearance of the manuscript and with all I know of its history.



Castile (whose alone was the monopoly of the Indies) are divided between Simancas and Alcalá, while at Seville, so long the one port of entry for the Indian trade, are still the archives of the Indies, and at Madrid the deposits of more modern bureaus, such as the (to us) important Hydrographic Depository. As for the lesser archives throughout Europe—archives of towns, families, corporations, churches, orders, individuals—they are, of course, still legion.<sup>1</sup>

It had been my thought to tell you something in detail of the contents and organization of at least two or three of the great national archives. But my time is already waning; and, without so much as a glance at the literature of the subject,<sup>2</sup> let me rather offer you a few suggestions as to how European archives may be used. There are at least four ways: 1. One may go to the archives in person. To the student of leisure and training this is doubtless the most tempting course: but it has its own difficulties and drawbacks. One needs, in the first place, or may need, an introduction. Let

<sup>1</sup> The best idea of their multiplicity and variety may perhaps be gained from the book of Langlois and Stein, *Les Archives de l'Histoire de France* (Paris, 1891). This work, though it seeks only to point out in what collections, in France or abroad, material may be found for the study of the history of France, is at present the best guide to the archives of Europe as a whole. It even has something to tell of those of Africa, Asia, America, and the Indies. To the archives of German lands (not only the German Empire, but Austria-Hungary, Switzerland, Luxemburg, and the Baltic Provinces as well) C. A. H. Burkhardt's *Hand- und Adressbuch der deutschen Archive* (2d ed., Leipzig, 1887), though its descriptive notes are of the briefest, is a useful directory. Excellent brief surveys of the archives of Spain, of Holland, of Sweden, of Roumania, are to be found in the too short-lived *Revue Internationale des Archives* (Paris, 1895-1896). Suggestion of further literature may be sought in Giry's *Manuel de Diplomatique* (Paris, 1894), pp. 37-40, and at the end of his article in the *Grande Encyclopédie*; and especially in the article on "La Science des Archives," prefaced by Langlois to the *Revue Internationale des Archives*, just mentioned. For Great Britain, for Russia, for Italy, for Spain, for Belgium, there is nowhere accessible so much as a complete list of the archives. Of high value, however, for British archives are of course the reports of the Historical Manuscripts Commissions.

<sup>2</sup> I may be allowed to mention in a foot-note that of the contents of the Archives Nationales of France there is a good single-volume printed inventory, the *État Sommaire par Séries des Documents Conservés aux Archives Nationales* (Paris, 1891). To these, too, the book of Bordier is mainly devoted, and there is an excellent brief analysis in Giry's article in the *Grande Encyclopédie*. To the wealth of the English Public Record Office the best key is now the *Guide* of Scargill-Bird (London, 1891). Here is hardly the place to mention the great series of *Calendars of State Papers*, through which such vast bodies of documents in English archives and of documents in foreign archives bearing on English history are becoming accessible to scholars. On the archives of Venice, so important for all Europe during the earlier modern centuries, we have the entertaining volume of A. Baschet, *Les Archives de Venise* (Paris, 1870). For the Vatican archives let me again point out the worth of Professor Haskins's study.

<sup>3</sup> For help in their use there are many handbooks, such as, for England, R. Sims's *Manual for the Genealogist, Topographer, Antiquary, and Legal Professor* (new ed., London, 1888), and W. Rye's *Records and Record Searching* (2d ed., London, 1897). I have found especially suggestive the little *Leitfaden für Archivbenutzer* of Dr. Max Bär (Leipzig, 1896).



not the sensitive vanity of the scholar rebel at this. Archives are not libraries. Their volumes have no duplicates, and, once lost, are gone forever. Nowhere is a marauder's task so easy as among their loose papers, and nowhere are his temptations so great—a fortune, a reputation, a policy, may hang on the fate of a single paper. To-day all the public archives of Europe, Constantinople's alone excepted, lie open to the accredited scholar; but very few, like the English Record Office and the French Archives Nationales, admit all comers. One may, of course, introduce oneself, especially if one hold any academic or official station, by writing to the archives beforehand of one's visit; and usually, I think, such a letter will in any case be adequate introduction. Even in the case of open archives, such an advance application is desirable; and by many, as those of Germany, it is strictly required.<sup>1</sup> The materials one wishes to use may be for the moment out of reach or may need hunting up. The archivist or sub-archivist in charge of them may be out of town. The public research-room in most archives is but small, and unannounced guests may embarrass. Write beforehand. I speak with emphasis, for I have myself been a sinner, and have paid the penalty of delay. And in your application state with all the definiteness possible what you wish to investigate, taking care (especially for the German archives) not to make your subject too broad.<sup>2</sup> Have a care, too, in choosing the time for your visit.

<sup>1</sup> See, for the requirements usual in German archives, Bär, *Leitfaden*, pp. 15-19; Holtzinger, *Katechismus der Registratur- und Archivkunde* (Leipzig, 1883), pp. 130-134. "Archive sind noch immer keine Bibliothek," writes even the helpful Franz von Löher, so long the head of the Bavarian archives; "nicht jedermann erhält Zutritt, sondern nur, wer Vertrauen verdient, und den Arbeiten der Archivbeamten nicht hinderlich fällt. Der echt wissenschaftliche Forscher wird anders bedient, als ein ewig fordernder und fragender Dilettant, und es giebt ein anerkannt ehrenwerter Charakter festere Gewähr gegen Missbrauch, als der erste beste Unbekannte." (*Archivlehre*, p. 260.)

<sup>2</sup> No matter how well introduced or how specific in one's appeal, one must not be too sure of seeing the documents he seeks. A decade or two ago, while engaged in research in western Germany, I found myself in a Rhenish city, one of the homes of the Prussian archives. It had been suggested to me by the archivist of a neighboring city that I might find here certain papers of value to my quest. I made bold to call upon the archivist, who, receiving me most kindly, told me of documents which might prove of use; but he added that he could lay them before me only when I had gained permission from the Director-General of the Archives, in Berlin—the great historian, Heinrich von Sybel. Happily I was equipped with a personal letter to Dr. von Sybel from his friend and my own, a scholar who had shortly before been our minister at Berlin and who is now again our ambassador at the German court. I enclosed it to him, with my plea, asking to examine any documents which might be found in these provincial archives touching a specified subject. In due time his answer came: a curt half-page informing me that no document on this subject existed in the Prussian archives. Perhaps the great historian felt only contempt for a student still interested in the history of the witch-persecution; perhaps he lacked faith in the seriousness of an American scholar. I think it more likely that I had come up against that principle of German archive-administration which forbids

Many archives, especially the smaller ones and those of the Church, have long and frequent holidays. Thus, at the Vatican, what with Christmas, Carnival, Easter, and the long summer vacation, in addition to the single feast-days, the working days (as Professor Haskins has told us) are less than half those of the year. Remember, too, that the archive working day is short—sometimes only three or four hours. This is the more serious because the use of the archives is not always cost-free.

Only of late years and in the great public archives has it become wholly free; and there are still archives of state, like those of Bavaria and Mecklenburg, where, while no charge is made for research in the interest of science, a fee must be paid for private investigations, like those of the genealogist or the lawyer. Even where no fee is paid, one must not forget that archives are as yet seldom endowed for the public; that the scholar is a guest, entitled only to courtesy; and that for service rendered he owes both gratitude and wherever possible a more substantial recognition. It behooves one, then, to make the most of his archive-time; and all possible should be done beforehand to orient oneself as to one's field of research and as to the resources of the archives. And when at last one is seated at the archive-table, documents before him, his trouble may be but begun. They must be read, analyzed, interpreted. Even the European scripts of our own time are not to be scanned with ease by one who has but read in print the tongues in which they are written; and with every century backward the puzzle grows.<sup>1</sup> True, at one's elbow, in all the greater archives, are trained archivists ready to help with every doubtful reading, obscure allusion, ambiguous date; but they cannot undertake to

to the public all documents touching the good fame of living persons or of their families. Even in Italy, the papers of criminal trials may not be seen till seventy years are gone. Be the explanation what it may, I had opportunity a few months later to learn a differing attitude. Being in Paris, I presented myself at the National Archives, and, with no credential but my visiting card, asked for documents upon the same subject. I was shown into a study room, and they were brought me at once. If the other course was hesitant, surely this was rash. This difference in administrative temper was well pointed out a quarter century ago by the German historian Baumgarten ("Archive und Bibliotheken in Frankreich und Deutschland," in the *Preussische Jahrbücher* for 1875), taking his text from the reply of the great Belgian archivist-in-chief, Gachard, to his question by what steps he could gain access to certain documents in the archives at Brussels: "Tout cela, Monsieur, sera mis à votre disposition sans que vous ayez à faire aucune démarche ni aucune demande: nos Archives sont ouvertes à tout le monde, mais plus particulièrement aux hommes distingués qui veulent venir les consulter dans l'intérêt de travaux historiques." Yet it is precisely the German archives which go furthest in the lending of documents and in their transfer from place to place for the use of scholars.

<sup>1</sup> I have seen an American family on its travels present itself at the Dutch archives in search of records of which its members could read neither handwriting nor language.

teach the elements of palæography and diplomatics. With such aids now available in English as Thompson's *Handbook*<sup>1</sup> and Trice Martin's *Record Interpreter*,<sup>2</sup> no enterprising student need long fear ancient script; and, if he have but French enough for Giry's manual,<sup>3</sup> he may soon grapple with charters and chronology. But he must not waste good archive-time in the study. Nor does he need to do so, for

2. One may use the archives by deputy. Of course, the deputy, too, needs accrediting; and, if he prove untrained, he must not hope for the patient help shown to one on his own errand. Why not send one who is trained? Haunting all great archives are experts who live by such research.<sup>4</sup> Where possible, it is best to let the archivists themselves choose for you. You are in less danger of being victimized by a trickster or an incapable, or of hitting on one who is *persona non grata* among the documents. Best of all is it, in general, if you can win for your task an archivist himself in his off hours.

3. One can use the archives by means of transcripts. Nearly all great archives furnish such on request or are ready to name competent transcribers. One need not tremble for the expense, for in the greater archives it is usually fixed by law and named in their published and posted rules; and it is often astonishingly moderate. Certified transcripts, *i. e.*, those whose accuracy is guaranteed by the seal of the archives and the certificate of the archivist, cost much more; but, save for use as legal evidence in courts of law, they are hardly to be wished. Of course, if one is to order transcripts, one must know precisely what one wants. One may get clues from the earlier scholars who have investigated one's theme. General works, like Oesterley's *Wegweiser*<sup>5</sup> and the *Archives de l'Histoire de France* of Langlois and Stein, will be of great help within their own fields. Above all, the analyses and inventories of the archives themselves must be ransacked, so far as they can be found in

<sup>1</sup> *Handbook of Greek and Latin Palæography* (London and New York, 1893), by Edward Maunde Thompson.

<sup>2</sup> *The Record Interpreter* (London, 1892), by Charles Trice Martin.

<sup>3</sup> *Manuel de Diplomatie* (Paris, 1894).

<sup>4</sup> Walter Rye, in his *Records and Record Searching* (p. 124), names a dozen such at London. At the Hague I found thus constantly busied for English scholars that admirable worker Mr. W. G. Van Oyen. Though now himself an archivist, he has not been too busy to be of much aid to me, and he may be able to attend to the errands of others.

<sup>5</sup> *Wegweiser durch die Literatur der Urkundensammlungen* (Berlin, 1885-1886), 2 vols. An index by places to all the European documents printed or mentioned by historians. Invaluable, despite very grave incompleteness.

print.<sup>1</sup> And, at the best, one can hardly hope thus to find matter not already familiar to the historians. Yet the greatest of American medievalists, perhaps the most fruitful of living American historians, Mr. Lea, has never worked a day in European archives: his materials have been transcribed for him.

4. Last and as yet least of all, one may use the archives by loan. Save in Germany, where scholars are sometimes allowed great privileges of this sort, one must be a great personage indeed to have archive-documents intrusted to one's own custody; and, remembering such mishaps as the burning of Mommsen's library, we may all well hope that the exceptions may be few. But the lending from archives to archives for the more convenient use of scholars, even as now in America we lend from library to library, is more common. I have spoken of this use among the Bavarian archives; and the Prussian are yet more generous, not restricting this courtesy to those of Prussia. In France the plan has at least been suggested.<sup>2</sup> Of its use in other lands I know little. However it grows, such treasures are hardly likely to cross the Atlantic.

In conclusion I have only to add that even from that period, from the twelfth century to the eighteenth, where European archives are of most value to historians, great bodies of documents may also be found in the libraries.

GEORGE LINCOLN BURR.

<sup>1</sup> In the German archives one may not hope to see a catalogue, not even a manuscript one. "Die Vorlegung der Repertorien des Archivs," runs the Prussian statute, "findet ausseramtlich niemals und an niemand statt." "The reason for this," explains Franz von Löher (p. 275), "is that the catalogues are the keys to the archives, and as long as archive-secrecy exists, so long must it especially include the catalogues." So much the more must the searcher know beforehand what to seek.

<sup>2</sup> By Langlois, in the *Archives de l'Histoire de France* (p. xvi, note), and in the *Revue Internationale des Archives* (p. 16).

## THE PLACE OF NATHANIEL MACON IN SOUTHERN HISTORY

MANY who are well acquainted with Southern history are almost entirely unfamiliar with the historical character of Nathaniel Macon. He is often mentioned by the best of authors as a North Carolinian, as a Georgian, or simply as a Southern Democrat. His share in the political development of the South is but vaguely known, yet every southern state has either a town or a county, or both, called by his name. The reason of his passing so entirely out of the minds of men is twofold: first, Southerners have not been students of history; second, Macon himself ordered all his papers burned before his death. The somewhat erratic old leader was determined to cover up his tracks, and he very nearly succeeded.<sup>1</sup>

Nathaniel Macon was born at the "Macon manor," in Warren county, North Carolina, December 17, 1758. He was descended from a Huguenot family which had been ennobled, we are told, in 1321. A branch of the family came to America in 1680, settled near Middle Plantation in Virginia and was soon reckoned among the first families of the province.<sup>2</sup> In the early thirties Nathaniel's father emigrated to North Carolina and before 1760 he had become one of the wealthiest men in the "Southside of Roanoke." The elder Macon was to upper North Carolina what the elder Jefferson was to northern Virginia—subduer of the forest and Indian fighter, a sort of *Markgraf*, ready always for an arduous undertaking. Young Macon, like young Jefferson, was left an orphan at a tender age and with a fair fortune. He was sent to Princeton, where so many young Southerners were then preparing themselves for the coming crisis. At college Macon "served a tour" in the Revolu-

<sup>1</sup>The sources from which we draw some information concerning him are: the *Annals of Congress*; the Jefferson manuscripts in the State Department at Washington; the Joseph H. Nicholson papers, now in the possession of Judge Hagner, of Washington; the Bartlett Yancey and the John Steele manuscripts at the University of North Carolina; and a small remnant of the original Macon papers which were preserved by his grandson, William Eaton, of Warrenton, North Carolina, and are now in the possession of Mrs. Walter K. Martin, of Richmond, Virginia. This last named collection contains remnants of a correspondence with Jefferson, Gallatin, John Randolph, and Andrew Jackson, remnants which cause the student of our early national history the greater regret that the main body of the papers was allowed to be destroyed.

<sup>2</sup>Meade's *Old Churches*, I. 387; *William and Mary College Quarterly* (July, 1897).



tionary army, but he returned in the autumn of 1776 to North Carolina, where he occupied himself for three years in the study of law and history. Two days before the fall of Charleston he joined a company of volunteers from Warren county and was elected a lieutenant; he declined the honor, however, preferring to serve as a private. His company was at Camden, and was one of the few companies which maintained a show of order and appeared ready for service on the Yadkin a few days later. From February, 1781, to December, 1785, Macon was in the state legislature as Senator from Warren; he was identified with the Willie Jones democracy as against the aristocratic party of the east under Johnston, Hooper and Iredell; in 1786 he was elected a delegate to the Continental Congress and was "ordered" to New York by the governor,<sup>1</sup> but like Willie Jones in this, he disobeyed the order—he was opposed to the sending of delegates by the state to the old Congress. The new national Constitution met his determined opposition; yet in 1791 he appeared in Philadelphia as a member of the House of Representatives from North Carolina, where he remained without interruption until 1815, when he was transferred to the Senate. No one ever attempted to defeat his election to the Senate, and he therefore remained in office until he retired of his own accord, nominating his successor. From 1828 to 1837 he lived in secluded retirement on his plantation twelve miles north of Warrenton and two miles south of the Roanoke. In 1835 he served as chairman of the convention which gave North Carolina its second constitution. One year later he manifested great interest in the election of the Van Buren ticket and rejoiced in the triumph of his candidate. He died June 28, 1837, and was buried on the most barren hilltop of his large plantation. A huge pile of flint rock, surrounded by scrubby post oaks, now marks the spot.

Such is a brief outline of Macon's public life. I wish now to point out the political policies of his career and his influence in getting these policies incorporated into the political creed of the South.

When the Revolution drew to a close the prominent leaders of the old régime in North Carolina began to assert themselves again in state politics. They had been excluded from active participation in public affairs by two considerations: (1) a too zealous interest in the American cause would in case of ultimate defeat bring utter ruin upon them and their families; (2) the radicals, sansculottes as they were later called, were in the saddle and looked askance at the wealthy conservatives who were constantly decrying all repub-

<sup>1</sup> *Journals of N. C. Assembly, 1786; State Records, Vol. XVIII. p. 108.*

lican forms of government and especially the more democratic. The leaders of the conservatives when their organized efforts began to be felt a second time were Johnston and Hooper, already referred to, both of whom were closely connected with prominent royalists.<sup>1</sup> The leader of the radicals and the virtual dictator of the state was Willie Jones, a wealthy planter who lived like a prince but who talked and voted like a Jacobin. Those that had stood aloof from the Revolution, merchants of the eastern towns and many of the Tories, joined the conservatives in 1782-1785, and these elements forming a compact and powerful party were desirous of substituting a strong national government for the old royal régime, an idea which gave promise of some check to the power of the state which was then in the hands of their political opponents. The exiles or émigrés naturally looked to these Nationals for protection against the angry state leaders, and with the promise of such aid, they came back to their estates. The Radicals—Whigs, as Macon always insisted on calling them—were determined that the lukewarm leaders of the Revolution and their new allies, the Tories, should not acquire the ascendancy. A harsh confiscation law was directed against all who had taken any part in the British cause or whose conduct during the war had been open to serious question. And since the entire machinery of the state government was in the control of the latter party it was but natural that they should continue to exalt the state and decry every attempt of their opponents to form a "more permanent union of all the states." The state was the creation of the Whigs; its enemies or detractors were little better to them than the Tories themselves.

Such was the division of parties in North Carolina and generally in the south, when Macon entered the legislature in 1781. He was by nature a radical: he joined the Jones party of which his brother was already a prominent leader. It was a sort of Virginian party after the Jefferson pattern of 1776; Jones and the Macons were themselves practically Virginians. They had given North Carolina a constitution in 1776 modeled after their mother state. Reform, democracy of the simplest type, were the ideas for which they stood. A most commendable item of their creed in this chaotic time was that which demanded a sound financial system based on gold and silver.<sup>2</sup> This they could not carry into effect; but their earnest efforts did them great honor. It was a part of their scheme of state organization, and along with it they advocated

<sup>1</sup> Hooper-Maclaine correspondence, *North Carolina State Records*, XVI. 932-1000.

<sup>2</sup> *Journals of North Carolina Assembly*, 1781-1785. The plan constantly appears.

protective tariff, public improvements, encouragement of foreign trade and intercourse and a better system of public education. The celebrated American policy of a later day was thus early put forward in North Carolina. In this school Macon served his apprenticeship and then retired at the age of twenty-seven to his new-made home near the Roanoke to observe the course of events. A call from this retirement to serve the state in the Continental Congress was not heeded, as has been seen. When the new Constitution was presented to North Carolina, he exerted himself to the utmost to defeat it. Its greatest opponents, Willie Jones and Thomas Person, were his friends and neighbors. All upper North Carolina, like all lower Virginia, was violently opposed to any plan of national union; the country which furnished the Revolution the greatest number of troops relative to population, and in which, it was boasted, scarce a single Tory lived, was in 1788 most determined in its opposition to all forms of nationalism. The whole broad area from Richmond to Raleigh and from Norfolk to Patrick Henry's new home beyond Danville was staunchly Anti-federalist. Its older leaders were Henry and Jones; its younger, Macon and John Randolph.

But when the Constitution was finally adopted, Macon re-entered politics and was among the first advocates of strict construction of the "contract" among the states. He soon became its champion, and it became to him a sort of fetich. The integrity of the state depended on the most rigid adherence to the letter of that instrument. In 1796-1798 he advocated increasing the militia of the states whenever the Federalists proposed increasing the army; the militia then and in 1807 was his sole dependence for national defense; its re-organization and complete equipment were perpetual themes with him. The principal charge of inconsistency ever brought against him was that of 1807-1808, when in the face of war with England he voted for an increase of six thousand men for the United States army.<sup>1</sup> He opposed the Sedition Bill chiefly on the ground that it would encroach on the prerogative of the state. "Let the States," said he, "continue to punish when necessary licentiousness of the press; how is it come to pass that Congress should now conceive that they have power to pass laws on this subject? This Government depends upon the State Legislatures for existence. They have only to refuse to elect Senators in Congress and all is gone."<sup>2</sup> The Virginia and Kentucky Resolutions expressed his view entirely and he gave them his hearty support in North Caro-

<sup>1</sup> *Annals of Cong.*, 8th Cong., January-February.

<sup>2</sup> *Annals of Cong.*, 5th Cong., 2151-2152.

lina though the legislature contemptuously voted them under the table. But the Federalists were then in control.

When Macon became Speaker of the House of Representatives in Congress as a result of Jefferson's elevation to the presidency, he had a better opportunity to make his principles in this respect felt. In the long and acrimonious controversy on the repeal of the Judiciary Act, he took an active part, not merely as Speaker, but as champion of the repeal on the floor of the House. His most characteristic speech was delivered on this occasion. In it he combated the Federalist position that repeal was unconstitutional; he also laid down a principle which was not new in the national legislature, but which was radical in the extreme, namely, that the state legislature could instruct with authority their Senators in Congress and recommend to their Representatives how they should vote on important questions. This would have been placing United States Senators substantially on the ground of ambassadors of their respective states, not unlike that of the representatives of the German states in the Imperial Bundesrath in Berlin. Macon's friend Randolph, however, went a step further and declared that his state could also instruct Representatives. To meet this, James A. Bayard of Delaware replied that he was as much a representative of Virginia as was Randolph himself. This policy of the two most important southern leaders was not without influence throughout the south and west. It was the foundation-stone of the Jacksonian democracy in so far as it put the will of the sovereign people as expressed in the legislatures above all other authority. Macon also favored expansion and growth of the state courts to meet the increasing demands of the country. Although Macon was not an enemy to the Supreme Court, as were Jefferson and Randolph, he was in himself a standing protest against John Marshall's great constructive decisions. He opposed the impeachment measures which ruined Randolph and taught Jefferson that there were limitations to the powers of a great popular majority.

It has been said that secession began with Jefferson in 1798, was accentuated by Randolph, and became a creed with the southern states after 1832; in other words, that Jefferson, John Randolph, and Calhoun were the apostles of this great dogma. This was in the main correct, but Macon was as important as Randolph in this development. He stood for the state as it was in 1789, and for a doctrine which was the legacy of the province, a legacy of intensely angry political struggles during the Revolution; he stood, as he said, for a state which could at will withdraw its Senators from Congress, and which did receive representatives from foreign courts, ac-

credited to its chief magistrates as late as 1793.<sup>1</sup> Ten years before Randolph was heard of he was an advocate of the essential features of Randolph's policy in the House of Representatives. It was the latter who became the political complement of the former, not the reverse. But Randolph's strange personality and his telling stage-acting first brought Macon's doctrine prominently before the nation. These two men acquiring great influence and becoming, as it were, god-fathers to the younger generation of southern politicians, outlined thus the policy of nullification during the early years of Jefferson's first administration. Can we be surprised then at Macon's sending Jackson in 1833 an angry protest against the proclamation on nullification? He wrote Samuel P. Carson<sup>2</sup> Feb. 9, 1833: "I have never believed a State could nullify and remain in the Union, but I have always believed that a State might secede when she pleased, provided she would pay her proportion of the public debt; and this right I have considered the best guard to public liberty and to public justice that could be desired. The proclamation contains principles as contrary to what was the Constitution as Nullification. It is the great error of the administration which, except that, has been satisfactory in a high degree. A government of opinion established by sovereign States for special purposes can not be maintained by force."

One of the severest criticisms of Macon's career, so far as students have criticised at all, has been that he constantly voted against all naval appropriations, even when war was imminent. The key to this part of his policy is to be found in his determination to prevent the least increase of power in the hands of the easterners. A navy, he thought, would be manned and controlled by Connecticut and Massachusetts, in other words, by the most capable seamen in the country. He was an agrarian who believed that the products of the plantation would find their way to European markets without our aid. It was immaterial to him whether Old or New England carried his tobacco to London. He would not have given a dollar to secure the carrying trade of the Atlantic.

The first speech he made in Congress on an important bill was in favor of a protective tariff for the encouragement of the infant cotton industry. This was in 1792. He prophesied that cotton-growing would become a source of great wealth to the United States. It is interesting to notice that this early attempt at protection to infant industries failed, because influential members of Congress thought cotton planting would destroy the fertility of the soil

<sup>1</sup> Governor Speight's message to North Carolina Assembly, November, 1793.

<sup>2</sup> Representative from North Carolina, 1822-1833.

and ultimately impoverish the nation. Almost as many members from the south as from the north voted against the cotton protective tariff. But Macon, more alert than some have thought, was in closer touch with the interests of his state and he declared that the people there had "already gone largely in the cultivation of that plant."<sup>1</sup> Three years later, however, when Nicholas J. Roosevelt and Jacob Mark presented a petition to Congress asking for protection for an "infant" iron industry which they were promoting, he opposed it, notwithstanding his friend Gallatin favored the scheme. Macon said: "The best policy of all such cases is to leave that kind of business to the industry of our citizens; they will work the mines if it is to their interest to do so."<sup>2</sup> It was the question here as to whose ox was to be helped out of the ditch.

At the extra session of Congress in 1797, when the bill providing for a large increase of the navy for the protection of commerce was pending, Macon was able to get an amendment passed which provided that the proposed frigates, when built and manned, should not be sent without the waters of the United States. This amendment was defeated in the Senate, but Macon and his friends were so persistent and powerful in their opposition that the plan was about to fail, and Samuel Sewall of Massachusetts declared: "Gentlemen who depend upon agriculture for every thing need not put themselves to the expense of protecting the commerce of the country; commerce is able to protect itself if they will only suffer it to do so. Let those States which live by commerce be separated from the Confederacy. Their collected industry and property are equal to their own protection and let other parts of the Confederacy take care of themselves."<sup>3</sup>

When Jefferson's non-importation measure was brought before Congress in February 1806, Macon opposed all that part of it which recommended the building of war vessels and coast fortifications, but favored the proposition for gun boats: "I believe them better adapted," said he, "to the defense of our harbors than any other. If we were now at war with any other nation, however gentlemen may be surprised at the declaration, I think we should do well to lend our navy to another nation also at war with that which we might be at war; for I think such a nation would manage it more to our advantage than ourselves."<sup>4</sup> A curious policy to be sure was this, but it was in accord with his general attitude toward

<sup>1</sup> *Annals of Cong.*, 1792, 560.

<sup>2</sup> *Annals of Cong.*, 4th Cong., 1819-1820.

<sup>3</sup> *Annals of Cong.*, 5th Cong., 385.

<sup>4</sup> *Annals of Cong.*, 9th Cong., 1st Sess., 524.

naval armaments. The Southern agriculturalists had, from the beginning, opposed all such outlay, claiming that it was useless and believing, without saying as much however, that every ship built at the national expense to protect trade added to the power which was one day to grapple with their section in a fearful struggle for supremacy. In view of this final termination of the intense rivalry between the sections, Macon's political foresight was not so poor as might at first appear. During the trying period of non-importation and embargo, he had his idea of agricultural supremacy clearly in view. He opposed every measure of the first Republican administration which seemed to obscure this issue.

In this policy Randolph joined him, though as much from motives of enmity to the President as from jealousy of New England. But Macon and Randolph were both staunch advocates of this so-called "mud-turtle" plan of Southern politicians. Randolph spoke out distinctly their view of things when he said in the debate on non-importation: "What is the question in dispute? The carrying trade. What part of it? The fair, the honest and useful trade that is engaged in carrying our own productions to foreign markets and bringing back their productions in exchange? No, Sir, it is that carrying trade which covers enemy's property and carries the coffee, the sugar, and other West Indian products to the mother country. No, Sir, if this great agricultural nation is to be governed by Salem and Boston, New York and Philadelphia, Baltimore, Norfolk and Charleston, let gentlemen come out and say so. I, for one, will not mortgage my property and my liberty to carry on this trade."<sup>1</sup> When Randolph declared he would never vote a shilling for a navy and Macon said, "lend your navy to a foreign enemy of our enemy," they were opposing New England and speaking for their own section, for their own agrarian interests. Commerce and great cities had no more attractions for Macon than for Randolph or Jefferson.

In connection with this subject, Macon's attitude toward slavery is to be considered. His view of the question may best be seen in his attitude to the prohibition of the importation of slaves into the United States. This measure came up in 1807. By the compromises on which the national Constitution is based, this traffic might be forever forbidden after January 1, 1808. But the economic conditions of the South had changed since 1787; and South Carolina, supported by the silent good-will of her sister states, now claimed that Congress could not constitutionally abolish the slave trade against the will and wish of a sovereign state. So much for the

<sup>1</sup> Quoted in Garland's *Life of Randolph*, I. 233.



growth of the idea of state supremacy, a growth fostered by everlasting disputes between the South and the East, a growth dependent on the economic change just mentioned—cotton-growing based on plenteous slave labor. It was a question of dollars and cents, Macon thought, not of human freedom, which animated both sides in Congress. The prosperity of the South depended now on slavery, on agricultural development; that of the East on commerce which the Southern members so constantly decried and often crippled. The growth of the slave power was to the East what the advancement of commerce was to the South—success of a rival bent on controlling the Union in its own interest. The morality of the question was a secondary consideration; though, as in a similar question of recent date, the speeches of the leaders were filled with moral and humanitarian professions. Macon said in committee of the whole: "I still consider this a commercial question. The laws of nations have nothing more to do with it than the laws of the Turks or the Hindoos. If this is not a commercial question, I would thank the gentlemen to show what part of the Constitution gives us any right to legislate on this subject." Macon regretted sincerely the existence of the "dread institution," yet he was as sincerely determined to maintain it as a right of the state and a check against the supremacy of the East. Both he and Randolph now maintained that a state could, if it desired, continue the slave trade independently of the Union, and they began to see that the equal growth of the South with the North depended on the expansion of the slave power. Here the second part of Macon's life-long policy, agriculturalism, became identical with the first, state sovereignty.

Macon did a great deal to put Jefferson in the presidential chair. North Carolina was the home of a strong Adams party, and it was with no little pains that the Republicans overcame the influence of the wealthy families enlisted under the banner of Federalism. Soon after the inauguration, Macon was given control of the federal patronage in his state; this led to very cordial and confidential relations between the President and the Speaker of the House. And when Jefferson sounded Congress in 1802 with regard to his aggressive policy on the Mississippi, he received immediate assurance that he would be supported in any reasonable scheme he might set in motion for acquiring the control of lower Louisiana. The purchase of Louisiana, as all the world knows, was as much a piece of good luck as it was the result of Jefferson's policy of expansion. When Macon heard of the favorable turn of things in Paris he wrote the President that "the acquisition of Louisiana has given general satisfaction, though the terms are not correctly known. But if it is within the compass of

the present revenue, the purchase, when the terms are known, will be more admired than even now." And then he adds what must have given his correspondent genuine satisfaction and which indicates Macon's own political policy, "if the Floridas can be obtained on tolerable terms we shall have nothing to make us uneasy, unless it be the party madness of some of our dissatisfied citizens."<sup>1</sup> From this time on he never lost sight of the acquisition of Florida as one of the items of sound policy. There was much talk a little later about giving Louisiana to Spain in exchange for Florida, but Macon seems not to have given assent to any such plan.<sup>2</sup> He was much interested in the acquisition of southern territory because he saw the significance of these possessions, first for the southern states and then for the Union. The balance of power between the two sections of the country was what he desired to see maintained even at that early stage.

January 1811, when the question of the admission of the new territory of Orleans was agitating the country, Macon expressed publicly his policy with regard to gaining southern territory; "much as the Southern country is desired and great is the convenience of possessing it"—were the terms he used. Not as territory, "not as a dependency," but as independent southern states did he wish to hold that country.<sup>3</sup> The same ideas prevailed with him in 1819 when Florida was annexed. But another question had the attention of Congress and the country—the organization and control of Missouri.<sup>4</sup> In a letter to Bartlett Yancey, of North Carolina, touching this subject, he regrets very much the loss of "Stone's motion which would have given two degrees more to the people of the South." With the failure, as Macon regarded it, of the South in the Missouri Compromise, his active participation in the expansion of the slave power closed. Randolph and Macon remained firm in their attitude toward this question and both voted against the Missouri Compromise. But the time had long since passed when Southern congressmen gave sincere attention to the counsels of Macon and Randolph; men were then filled with the ideas which Clay represented. It was not until 1832, when both were retired forever from active politics, that Southerners with Calhoun as their leader returned to what Macon always stood for, state supremacy, and only in 1837–1842 was it that their scheme of aggressive expansion became the creed of the great South Carolinian.<sup>5</sup>

<sup>1</sup> Letter of September 3, 1803.

<sup>2</sup> Letter to Joseph H. Nicholson, August 6, 1803.

<sup>3</sup> *Annals of Cong.*, 11th Cong., III. 305.

<sup>4</sup> *Annals of Cong.*, 16th Cong., 1st Sess., I. 97–100.

<sup>5</sup> Woodrow Wilson, *Division and Reunion*, p. 143 ff.



A paper on Macon would scarce be complete without considering his influence and power in pressing upon the nation the ideas he represented. In 1796 he became the undisputed leader of the Jefferson party in North Carolina; in 1799 the last attempt to defeat him was made. The same year he established in Raleigh the first and greatest partizan newspaper the state has ever had. Joseph Gales was its editor. Macon and Gales and their companions in politics waged a fierce and successful war of words in North Carolina in 1800. They carried the state for their party, but they could not prevent the election of four powerful Federalist congressmen in 1801. But these were defeated in 1803 through the industry and ability of Gales rather than of Macon. All parties recognized Macon's right to leadership in his state from 1803 to 1828; and his authority was never questioned in his own party after 1803 except temporarily in 1808, when he opposed Madison's candidacy, preferring Gallatin instead.

In national affairs his period of power was from 1801 to 1812. It began with his almost undisputed election to the speakership of the House. In the chair he was the equal of any who had occupied it; he used its almost despotic powers more often than any predecessor had done. He was without a Republican competitor in 1803 and with his faithful friend Randolph as chairman of the committee on ways and means, there was no defeating measures of which he approved. He was positive enough to make his wishes known by setting aside the precedent of the Speaker's voting only in the case of a tie and having his vote registered as that of a member of the House. The present plan of presidential balloting, which required an amendment to the Constitution, was passed by his vote. Between 1803 and 1807 he allowed his friendship for Randolph and his dislike of Jefferson's supposed leaning toward Madison to lead him astray. He favored openly the candidacy of Monroe for President and opposed much of the non-importation plans of the administration; he even winked at Randolph's foolish scheme of feigning sickness in 1806 in order, as chairman of the committee on ways and means, to defeat Jefferson's foreign policy just referred to. This caused a breach between the President and the Speaker, a breach which resulted in the complete isolation of Macon. He was succeeded by Varnum in 1807. Jefferson commanded the Northern Republicans whom his conciliatory policy had called into prominence, and he still held enough of the Southerners to carry through all essential schemes. Randolph's bizarre actions and wild speeches soon caused Macon to regret the political side of their David-and-Jonathan friendship, and before 1809 we find him

voting in the main with the administration. At the opening of Congress in 1809 he was the choice of all Southern Republicans for Speaker and missed the election by only twenty votes. This returning popularity brought immediate recognition on the part of an administration floundering about in a slough of despondency. The way out of the bogs of embargo was being so earnestly sought after, that Macon, as a popular leader of the "old Republicans," became one of the first characters of the country. Any bill he championed was likely to pass, but he did not bring one forward until after the Embargo Act had been repealed and a solution of all foreign difficulties was sought by Madison in 1810.

As a result of the very large vote for the speakership Macon was made chairman of the committee on foreign relations for the first session of the eleventh Congress. He at once introduced a series of resolutions looking to the settlement of our difficulties with the warring powers of Europe. The resolutions were debated somewhat at length and finally changed to the famous Macon Bill No. 1, which was undoubtedly an administration measure and which Gallatin had much to do with framing, but not all. After more than a month of debate the bill finally passed the House, January 27, 1820. Its main features were: (1) To exclude English and French war and merchant ships from American ports; (2) to restrict importations from England and France except such as came in American vessels; (3) to admit only such imports as should come direct from the country producing them. The bill also repealed the non-intercourse laws and limited the duration of the proposed act to March 4, 1810.<sup>1</sup>

The purpose of Macon's plan was to make England and France feel America's power and to set the nation that refused to recognize our rights as neutrals clearly in the wrong before all sections of the country. But the Senate dominated by anti-Gallatin men defeated Macon's bill in order to humiliate its reputed author. Macon Bill No. 2 was then introduced; but with this Macon had nothing whatever to do, not even voting for it on its final passage, May 1.<sup>2</sup> This bill promised free trade with either England or France in case either repealed its restrictive laws on neutral commerce. The nation which refused to change its policy was to be allowed no imports whatever into the United States. This plan was little more than a bid to France to come to America's assistance and thus to isolate England completely, for no one expected the latter country to yield

<sup>1</sup> *Annals of Cong.*, 11th Cong., II. 2582-2637.

<sup>2</sup> Letter to Joseph H. Nicholson, April 10, 1810; *Annals of Cong.*, 11th Cong., II. 1763.

to our demands.<sup>1</sup> The Macon bills occupied Congress throughout the session. Being the mouthpiece of the government, besides a most popular leader, Macon was practically the first character in Congress and among the first in the country.

With the beginning of the War of 1812 and the appearance in Congress of Calhoun, Clay, Lowndes, Cheves—the younger generation of politicians—Macon's influence in national affairs came practically to an end. He remained easily first in North Carolina, however, as long as he lived.

Macon's place and influence in Southern history is alongside that of John Randolph; he was before Randolph in his advocacy of state supremacy and more influential at all times because more practical and reasonable; he was a Southern agrarian of the Jeffersonian type and in this he was in full accord with Randolph; his policy of southern expansion was a dim outlining of Calhoun's aggressive plan of 1842; and this attitude of his compelled him to espouse the cause of slavery since slavery was the basis of Southern wealth, and necessary as a weapon with which to fight the free states. His influence was based on the control of his own state and on the confidence which his unimpeachable sincerity and honesty inspired.

WILLIAM E. DODD.

<sup>1</sup> Schouler, *History of the United States*, II. 229.

## JOHN QUINCY ADAMS AND THE MONROE DOCTRINE

### I.

In one of his essays Hazlitt describes an old English mystery play in which Adam is introduced, crossing the stage, on his way to be created. Was I to undertake the same representation of the earliest form of that political dogma or belief that later became known as the Monroe doctrine, I might easily fall into the same violation of dramatic unities. Scattered phrases in the writings of the political leaders of the early years of the republic might easily lend themselves to an interpretation according to later events. The policy of political isolation so solemnly enjoined in the farewell address of Washington, the uniform practice of a strict neutrality, and the diplomatic wishes and negotiations of Jefferson and Madison were so many distinct threads, which were to be gathered in support of a manly independence and almost indifference to European movements. My task is really a restricted one, and covers the events of less than four months of the year 1823. I intend to show how a question which arose as a distinctly European question was changed to an American matter; how it was altered from one pertaining solely to the relations between the United States and England to one that concerned our relations with all Europe; and, finally, the part borne by John Quincy Adams in reaching a determination.

Something must be said of the conditions existing in 1823 bearing upon the problem which the Monroe doctrine was to solve. Europe was under the control of the Holy Alliance. Originally formed by a combination of Austria, Prussia, Russia and Great Britain to administer upon the wreck of Napoleon's ambitions, the Alliance was continued as a police body, to assure the peace of the civilized world. France had now joined it, and to attain the ends of the union a full and combined support was to be given to legitimate or monarchial governments as against any revolutionary movement originating from the people. Starting from the doctrine of the divine right of kings, it was easy to reach the conclusion that the rule of a legitimate monarch was not to be questioned, and in short, monarchy was the only form of government which could not be reformed or improved. A policy of this nature, supported by force and applied with all the horrors of war, could not well appeal



to the English government. In the first case to be thus treated, the Neapolitan revolution, England protested against the Alliance making it a common question. Let it be Austrian, because Austrian interests were vitally concerned; but it should not be European. Her protests were unheeded, and an Austrian army acting for the Holy Alliance, ruthlessly crushed the popular movement in Naples and in Piedmont.

When the Spanish affairs called for notice in 1822, the King had been forced to accept the constitution of 1812, and the members of the Alliance believed the peace of Europe was threatened. Great Britain first sought to act as a mediator, but her offered services were not accepted. The Congress of Verona determined to restore Ferdinand to his throne, untrammelled by any constitution, and to France was given the congenial task. Spanish interests, however, were not confined to Europe. Her possessions in South America had for some time been in rebellion against her, and the United States alone had recognized their independence and accorded ✓ to them the rights of independent nations. If legitimacy was to be restored and maintained in Spain, no great stretch of the imagination was needed to believe that the Alliance, having accomplished its task in Spain, would extend its principles to Spanish America, and seek to restore the authority of Spain. The same idea might be pushed even further. As the great example of a successful democratic revolution, the United States could hardly have been pleasing to the Holy Alliance, and the more timid were ready to picture an invasion of this country by the combined European powers.

As a fact Great Britain offered a barrier to any such movement against either South or North America. Not only had the difference which showed itself in the Naples incident been greatly widened by the French invasion of Spain, but the price of obtaining the support of England could not be paid by the Allies. Firmly opposed to the attempt of the Alliance to regulate the internal concerns of a neighboring sovereign state, and disapproving the idea of imposing ✓ upon Spain the unrestricted rule of a monarch like Ferdinand, her ministers had held aloof from the movement, and adopted an attitude of a strict and undeviating neutrality, a neutrality not liable to alteration towards either party, so long as the honor and just interests of Great Britain were equally respected by both. Beyond a formal protest the British Cabinet would not go. Commercial interests and the wish to stand well with the Holy Alliance dictated its conduct in this affair, and the English people were thus apparently arrayed on the side of despotism.

Yet England did entertain some apprehension of the intentions



of the French government. Cuba was still a colony loyal to Spain, but was a prize worthy attention. There could be no objection to the island's remaining in Spanish possession; it was at the thought that the United States or France might covet it, that the head of the English ministry was alarmed. In November, 1822, Canning laid before the Cabinet a memorandum suggesting that "important as the interests may be which are now in discussion at Verona, yet, in the present state of the world, no questions relating to continental Europe can be more immediately and vitally important to Great Britain than those which relate to America." English commerce was suffering from outrages inflicted by the subjects of Spain, as well as from pirates and marauders "who bear no national character, and for whom no Government is answerable," meaning the Spanish possessions in America. These conditions had obliged the admiralty to afford convoy to merchant vessels trading to the ports of the Colombian republic. "Convoy in time of peace!" exclaimed Canning, "and against the attacks of a nation with which we are professedly in amity!" What a preposterous position for the first maritime power of the world! The attitude of the United States in recognizing the *de facto* independence of the Spanish colonies, in claiming a right to trade with them, and in avenging any interruption of the exercise of that right, implied a more straightforward course, and presented itself before the world a more intelligible position, than did the conduct of Great Britain.

There was a danger that the United States in pursuing this policy would make a military occupation of Cuba a part of the system of security against further depredations on American vessels. Canning claimed to have information giving countenance and probability to a rumored occupation of Cuba by the United States. "It may be questioned," he continued, "whether any blow that could be struck by any foreign Power in any part of the world, would have a more sensible effect on the interests of this country, and on the reputation of its Government." He therefore proposed to send a strong fleet to the Caribbean Sea to put an end to the depredations from pirates, and to check any intentions the United States might have upon Cuba. He also raised the question whether the time had not come for recognizing in some manner the Spanish colonies. "Spain and her colonial empire are altogether separated *de facto*. She has perhaps as little direct and available power over the colonies which she nominally retains, as she has over those which have thrown off her yoke."<sup>1</sup> Had it not been for the internal disturbances of Spain

<sup>1</sup> The "Memorandum" is printed in Stapleton, *Some Correspondence of George Canning*, I. 48.

and its invasion from France, there is every reason to believe that Great Britain would have recognized the South American republics at this time.

This was not to be, and when the armies of France entered Spain Canning sought to obtain some expression from France as to Spanish territory. A permanent occupation of Spain was out of the question, but the conqueror might demand compensation in the colonies. So Canning laid down the position of Great Britain on another interesting matter:—

“With respect to the Provinces in America, which have thrown off their allegiance to the Crown of Spain, time and the course of events appear to have substantially decided their separation from the Mother Country; although the formal recognition of these Provinces, as Independent States, by His Majesty, may be hastened or retarded by various external circumstances, as well as by the more or less satisfactory progress, in each State, towards a regular and settled form of Government. Disclaiming in the most solemn manner any intention of appropriating to Himself the smallest portion of the late Spanish possessions in America, His Majesty is satisfied that no attempt will be made by France, to bring under her dominion any of those possessions, either by conquest, or by cession, from Spain.”<sup>1</sup>

If Canning's purpose was to elicit a similar pledge from France it was not successful, and the possibility remained that Cuba might be offered to France and accepted, as indemnity or as spoils of war. Thus the apprehension of Canning remained unallayed, and the Cuban question persisted to color his relations with France and the United States.

Nor were such apprehensions respecting Cuba confined to Canning. At the very time he was preparing his interrogatory disclaimer for France, Monroe and his cabinet were considering the possibility of Great Britain's taking Cuba. Calhoun was for war with England, if she meant to take Cuba, a proposition so very general that the mere statement of Adams that the United States could not prevent such a seizure or cession was a sufficient answer. Monroe wished to offer to Great Britain a mutual promise not to take Cuba. A course so unnecessary and objectionable met with little favor at the hands of his advisers. Calhoun opposed it because nothing would be gained by it, and Adams thought it would involve a plunge into European politics. Calhoun did not readily change his opinion, and he merely moved his ground so as to be in favor of war with England, if she wanted to take Cuba against the wishes of the islanders. The doctrine of the consent of the governed would have sounded strange at that time in any language but English; it would have sounded strange uttered anywhere on English terri-

<sup>1</sup> George Canning to Sir Charles Stuart, March 31, 1823.

tory. In a despatch to Hugh Nelson, the American minister in Spain, dated April 28, 1823, Adams stated the position of the administration as to Cuba.

"You will not conceal from the Spanish Government the repugnance of the United States to the transfer of the Island of Cuba by Spain, to any other power. The deep interest which would to them be involved in the event gives them the right of objecting against it; and as the People of the Island itself are known to be averse to it, the right of Spain herself to make the cession, at least upon the principles on which the present Spanish constitution is founded, is more than questionable. Informal and verbal communications on this subject with the Spanish Minister of Foreign Affairs will be most advisable. In casual conversation, and speaking as from your own impressions, you may suggest the hope, that if any question of transferring the Island to any other Power is or shall be in agitation, it will not be withheld from your knowledge or from ours; that the condition of Cuba cannot be changed without affecting in an eminent degree the welfare of this Union, and consequently the good Understanding between us and Spain. That we should consider an attempt to transfer the Island, against the Will of its Inhabitants, as subversive of their rights, no less than of our interests; and that, as it would give them the perfect right of resisting such transfer, by declaring their own Independence, so if they should, under those circumstances, resort to that measure, the United States will be fully justified in supporting them to carry it into effect."<sup>1</sup>

The military progress of France in Spain was approaching an end, and the invaders had met with so little opposition that they could count upon a final success in all their endeavors. Canning's apprehensions as to Cuba returned, and having received no direct assurances from France in answer to his veiled question on her possible ambitions for territory in America, he turned to the United States. Whether this was a studied intention or a sudden impulse is, to me, a matter of doubt. That Cuba, and its possible transfer by Spain to another power, were in Canning's thoughts, is certain; but it is by no means certain that he took the initiative. Rush had been urging him to recognize the South American states, and only an extreme caution prevented him from taking the suggestion. Had he been entirely disinterested he could have entertained no doubt that the simplest and surest means of obtaining the support, even the alliance, of the United States was to announce openly what had been tacitly conceded, that the late Spanish colonies were indeed independent states. Canning's mind was more at ease when it spoke with a reservation, and the indirect course was adopted in this instance.

On August 16th Rush had an interview with Canning on the negotiations pending between the two countries, of which the South American situation formed no part. Near the close of the con-

<sup>1</sup> Adams's Instructions to Hugh Nelson, April 28, 1823. Adams's MSS.



versation Rush "transiently asked," whether there was not room to hope that the Spaniards might get the better of all their troubles, but received only a general reply. Pursuing the subject Rush intimated that should France ultimately effect her purpose of overthrowing the constitutional government in Spain, there was at least the consolation that Great Britain would not allow her to go further and lay her hands upon the Spanish colonies, or stop the progress of their emancipation. What Rush had in mind, and what he wished to recall to Canning's memory, were the sentiments expressed by the British premier in March, when writing to his representative in Paris—that the recognition of the Spanish colonies as independent nations might be hastened or retarded according to circumstances; and that England disclaimed all intention of appropriating the smallest portion of the late Spanish possessions in America. By this was to be understood, in terms sufficiently distinct, that Great Britain would not be passive under such an attempt by France. Canning, in reply, asked Rush what

"I thought my government would say to going hand in hand with this, in the same sentiment; not as he added that any concert in action under it, could become necessary between the two countries, but that the simple fact of our being known to hold the same sentiment would, he had no doubt, by its moral effect, put down the intention on the part of France, admitting that she should ever entertain it. This belief was founded he said upon the large share of the maritime power of the world which Great Britain and the United States shared between them, and the consequent influence which the knowledge that they held a common opinion upon a question on which such large maritime interests, present and future, hung, could not fail to produce upon the rest of the world. . . .

"Reverting to his first idea he again said, that he hoped that France would not, should even events in the Peninsula be favorable to her, extend her views to South America for the purpose of reducing the colonies, nominally perhaps for Spain, but in effect to subserve ends of her own; but that in case she should meditate such a policy, he was satisfied that the knowledge of the United States being opposed to it as well as Great Britain, could not fail to have its influence in checking her steps. In this way he thought good might be done by prevention, and peaceful prospects all round increased. As to the form in which such knowledge might be made to reach France, and even the other powers of Europe, he said in conclusion that that might probably be arranged in a manner that would be free from objection."<sup>1</sup>

This talk was not only interesting in itself, but it was the first advance of that character that had ever been made by the British to the American government, in relation to the foreign affairs between the two nations. Rush was guarded in his answer, expressing no opinion in favor of the suggestions, yet abstaining as carefully from saying anything against them. He could merely promise

<sup>1</sup> Richard Rush to John Quincy Adams, August 19, 1823.

to lay them before his government. To Adams he expressed the inference that Canning's proposition was "a fortuitous one; yet he entered into it I thought with some interest."<sup>1</sup>

Four days later, on August 20th, Canning embodied these points in a private and confidential note.

"Is not the moment come when our Governments might understand each other as to the Spanish American Colonies? And if we can arrive at such an understanding, would it not be expedient for ourselves, and beneficial for all the world, that the principles of it should be clearly settled and plainly avowed?"

"For ourselves we have no disguise.

1. We conceive the recovery of the Colonies by Spain to be hopeless.
2. We conceive the question of the recognition of them, as Independent States, to be one of time and circumstances.
3. We are, however, by no means disposed to throw any impediment in the way of an arrangement between them and the mother country by amicable negotiations.
4. We aim not at the possession of any portion of them ourselves.
5. We could not see any portion of them transferred to any other Power with indifference.

"If these opinions and feelings are as I firmly believe them to be, common to your Government with ours, why should we hesitate mutually to confide them to each other; and to declare them in the face of the world?"

"If there be any European Power which cherishes other projects, which looks to a forcible enterprize for reducing the colonies to subjugation, on the behalf or in the name of Spain; or which meditates the acquisition of any part of them to itself, by cession or by conquest; such a declaration on the part of your government and ours would be at once the most effectual and the least offensive mode of intimating our joint disapprobation of such projects.

"It would at the same time put an end to all the jealousies of Spain with respect to her remaining Colonies, and to agitation which prevails in those Colonies, an agitation which it would be but humane to allay; being determined (as we are) not to profit by encouraging it.

"Do you conceive that under the power which you have recently received, you are authorized to enter into negotiation and to sign any Convention upon this subject? Do you conceive, if that be not within your competence, you could exchange with me ministerial notes upon it?"

"Nothing could be more gratifying to me than to join with you in such a work, and, I am persuaded, there has seldom, in the history of the world, occurred an opportunity when so small an effort of two friendly Governments might produce so unequivocal a good and prevent such extensive calamities."

Rush sent to Washington a copy of this note in his despatch No. 325, dated August 23d.<sup>2</sup> Believing that Canning's note showed earnestness and cordiality towards the government of the United States, he wished to meet its suggestion in such a manner as not to compromise his government with either France or Spain, or to im-

<sup>1</sup> Richard Rush to John Quincy Adams, August 19, 1823. The despatch is summarized in Rush's *Memoranda*, 399-404.

<sup>2</sup> Printed in Rush's *Memoranda*, 415.



plicate it in any degree in the federative system of Europe. The only point that could not be accepted by the United States was Canning's second, merely because the United States had already recognized the full independence of the South American states.

Rush had barely sent off his despatch when he received another "private and confidential" note from Canning, dated at Liverpool, mentioning an additional motive for coming to a speedy determination.

GEORGE CANNING TO RICHARD RUSH.

Private and confidential.

LIVERPOOL, August 23, 1823.

MY DEAR SIR,—Since I wrote to you on the 20th, an additional motive has occurred for wishing that we might be able to come to some understanding on the part of our respective Governments on the subject of my letter; to come to it soon, and to be at liberty to announce it to the world.

It is this. I have received notice, but not such a notice as imposes upon me the necessity of any immediate answer or proceeding—that so soon as the military objects in Spain are achieved (of which the French expect, how justly I know not, a very speedy achievement) a proposal will be made for a Congress, or some less formal concert and consultation, specially upon the affairs of Spanish America.

I need not point out to you all the complications to which this proposal, however dealt with by us, may lead.

Pray receive this communication in the same confidence with the former; and believe me with great truth

My Dear Sir, and esteem,

Your obedient and faithful servant,

(Signed) GEO. CANNING.

The proposition to convene a congress of European powers to consider American affairs, with or without the presence and participation of the United States, was one that could not be acceptable to the American minister, much less so to the government he represented. It did not require any instructions from Washington to characterize the proposed congress as an uncalled for measure, one indicative of a policy highly unfriendly to the tranquillity of the world. The United States could not look "with insensibility upon such an exercise of European jurisdiction over communities now of right exempt from it, and entitled to regulate their own concerns unmolested from abroad." If Great Britain would recognize this independence, Rush would make a declaration, "in the name of my Government, that it will not remain inactive under an attack upon the independence of those States by the Holy Alliance," making it explicitly, and avowing it before the world.<sup>1</sup>

It will now be necessary to pass to the United States, where Rush's three despatches and their enclosures arrived at the Depart-

<sup>1</sup> Richard Rush to John Quincy Adams, August 28, 1823. The despatch (No. 326) is printed in Rush's *Memoranda*, 420.

ment of State, October 9th. Unfortunately the *Memoirs of John Quincy Adams* are silent from September 11th, when the writer was at Quincy, to November 7th, nearly a month after Canning's advances had become known to the President. We have, therefore, no record of the first impressions they made upon Monroe and his Cabinet. Two days after their receipt Monroe asked for copies of them, and these he took with him into Virginia, when he went to his country-seat for a rest. His object was to ask advice from Jefferson and Madison, to whom he sent the copies without informing Adams that he had taken this somewhat unusual and indiscreet step. For a disclosure of the papers would have greatly embarrassed the Secretary of State, and destroyed the usefulness of Rush in London, not to speak of the unfortunate position Monroe himself would have occupied. His letter to Jefferson expressed his doubts and suggested a possible policy to be pursued; but a careful reading fails to develop a decided opinion on his part. He would meet the proposal of the British government, and hints in no doubtful manner that the occasion may be a fair one for departing from the "sound maxim" of political isolation.

MONROE TO JEFFERSON.

OAKHILL October 17<sup>th</sup> 1823

DEAR SIR,—I transmit to you two despatches, which were receiv'd from Mr. Rush, while I was lately in Washington, which involve interests of the highest importance. They contain two letters from Mr. Canning, suggesting designs of the holy alliance, against the Independence of S<sup>e</sup> America, and proposing a cooperation, between G. Britain and the U States, in support of it, against the members of that alliance. The project aims in the first instance, at a mere expression of opinion, somewhat in the abstract, but which it is expected by Mr. Canning, will have a great political effect, by defeating the combination. By Mr. Rush's answers, which are also inclosed, you will see the light in which he views the subject, and the extent to which he may have gone. Many important considerations are involved in this proposition. 1<sup>st</sup> Shall we entangle ourselves, at all, in European politicks, and wars, on the side of any power, against others, presuming that a concert by agreement, of the kind proposed, may lead to that result? 2<sup>d</sup> If a case can exist, in which a sound maxim may, and ought to be departed from, is not the present instance, precisely that case? 3<sup>d</sup> Has not the epoch arriv'd when G. Britain must take her stand, either on the side of the monarchs of Europe, or of the U States, and in consequence, either in favor of Despotism or of liberty and may it not be presum'd, that aware of that necessity, her government, has seiz'd on the present occurrence, as that, which it deems, the most suitable, to announce and mark the commencement of that career.

My own impression is that we ought to meet the proposal of the British gov<sup>t</sup>, and to make it known, that we would view an interference on the part of the European powers, and especially an attack on the Colonies, by them, as an attack on ourselves, presuming that if they



succeeded with them, they would extend it to us. I am sensible however of the extent, and difficulty of the question, and shall be happy to have yours, and Mr. Madison's opinions on it. I do not wish to trouble either of you with small objects, but the present one is vital, involving the high interests, for which we have so long and so faithfully, and harmoniously, contended together. Be so kind as to enclose to him the despatches, with an intimation of the motive. With great respect etc

JAMES MONROE

Recd Oct 23<sup>1</sup>

Both Jefferson and Madison were in favor of accepting Canning's advances, as by that means Great Britain would be separated ✓ from the Holy Alliance. Madison was the more radical in favoring some material aid to Spain and Greece in their contests against combined Europe. This sentimental idea is not sufficient to convict Madison of "playing politics," for he had run his public career, and had nothing in the future. There can be no doubt, however, that others were urging such a policy because they knew it would be popular with the United States. The picture of a people struggling for liberty appealed strongly to leading members of both political parties; and the "witchery" of the South American question was nearly repeated in the Greek problem.

While Monroe was in Virginia an incident happened which led to the injection into this question of the South American states of a new factor—Russia. Baron de Tuyll, the Russian minister at Washington, called upon the Secretary of State on October 16th, and informed him that his master, the Emperor, would not receive any minister or agent from any of the governments recently formed ✓ in the new world. While he had not been instructed to make an official communication of this fact to the American government, he was instructed to make this determination of the Emperor known, so that there might no doubt be entertained with regard to his intentions. He also made a verbal expression of the satisfaction with which the Emperor had observed that the government of the United States, in recognizing the independence of the South American states, had declared its intention to persevere in that neutrality it had hitherto observed. The minister said he would address a note to Mr. Adams, officially informing him of the Emperor's position as to diplomatic or consular agents from South America. The Secretary of State observed in reply, that upon the President's return from Virginia he

"would lay before him, as well the Note, which I should in the meantime receive from the Baron, as the purport of the oral communication which he then made to me. That I should probably be instructed

<sup>1</sup> From the Jefferson MSS.

to return a written answer to his Note, and that I should also be directed what to say in answer to his verbal remarks. That the Declaration of the American Government when they recognized the Southern American Nations, that they would persevere in the neutrality till then observed between Spain and her emancipated Colonies, had been made under the observance of a like neutrality by all the European Powers to the same contest. That so long as that state of things should continue, I could take upon me to assure the Baron, that the United States would not depart from the neutrality so declared by them. But that if one or more of the European powers should depart from their neutrality, that change of circumstances would necessarily become a subject of further deliberation in this Government, the result of which it was not in my power to foretell."

On the same day the promised official note was received from the minister :

"Sa Majesté Impériale a enjoint à son Ministre de me prévenir, que, fidèle aux principes politiques, qu'Elle suit de concert avec ses alliés, Elle ne pourra dans aucun cas recevoir auprès d'Elle aucun agent quelconque, soit de la Régence de Colombia, soit d'aucun des autres Gouvernemens de fait, qui doivent leur existence aux événements, dont le nouveau monde a été depuis quelques années le théâtre."

Monroe returned from Virginia November 5th. Two days earlier despatches had been received from Rush showing an extraordinary change in Canning's tone. He was no longer pressing for a reply to his advances ; he was decidedly cool, and showed plainly that he was not prepared to give the pledge of an immediate recognition of the independence of the South American states, the pledge which alone would enable Rush to enter into his proposed joint announcement of policy. His note was couched in diplomatic language, but left little doubt of his altered disposition.

(*Enclosure with Mr. Rush's No. 330, September 8, 1823.*)

GEORGE CANNING TO RICHARD RUSH.

Private and Confidential.

STORRS, WESTMORLAND, Aug. 31, 1823.

MY DEAR SIR,—I have now to acknowledge the receipt of your answer to both my letters ; and whatever may be the practical result of our confidential communication, it is an unmixed satisfaction to me that the spirit in which it began on my part, has been met so cordially on yours.

To a practical result eminently beneficial I see no obstacle ; except in your want of specific powers, and in the delay which may intervene before you can procure them ; and during which events may get before us.

Had you felt yourself authorized to entertain any formal proposition, and to decide upon it, without reference home, I would immediately have taken measures for assembling my Colleagues in London, upon my return, in order to be enabled to submit to you as the *act* of my government, all that I have stated to you as my own *sentiments* and theirs. But with such a delay in prospect, I think I should hardly be justified in proposing to bind ourselves to any thing positively and unconditionally ; and think on the other hand that a proposition qualified either in respect to the con-



tingency of your concurrence in it, or with reference to possible change of circumstances, would want the decision and frankness which I should wish to mark our proceeding.

Not that I anticipate any change of circumstances, which could vary the views opened to you in my first letter:—nor that, after what you have written to me in return, I apprehend any essential dissimilarity of views on the part of your Government.

But *we* must not place ourselves in a position in which, if called upon from other quarters for an opinion, we cannot give a clear and definite account not only of what we think and feel, but of what we have done or are doing, upon the matter in question. To be able to say, in answer to such an appeal, that the United States and Great Britain concur in thinking so and so—would be well. To anticipate any such appeal by a voluntary declaration to the same effect would be still better. But to have to say that we are in communication with the United States but have no conclusive understanding with them, would be inconvenient—our free agency would thus be fettered with respect to other Powers; while our agreement with you would be yet unascertained.

What appears to me, therefore, the most advisable is that you should see in my unofficial communication enough hope of good to warrant you in requiring Powers and Instructions from your Government on this point, in addition to the others upon which you have recently been instructed and empowered; treating that communication *not* as a proposition made to you, but as the evidence of the nature of a proposition which it would have been my desire to make to you, if I had found you provided with authority to entertain it.

I have the honor to be, with the greatest esteem and respect,

My Dear Sir,

Your obedient and faithful servant,

(Signed) GEO. CANNING.

Not only did Rush on receiving this note regard the incident as closed, but his suspicions of Canning's motives were seriously aroused. "I am bound to own," he wrote in a private letter to Monroe, "that I shall not be able to avoid, at bottom, some distrust of the motives of all such advances to me, whether directly or indirectly, by this government, at this particular juncture of the world." Whatever evidences Great Britain had given of a tendency to liberalize her commercial policy, there was no recognizable prospect of the adoption of greater political freedom, whether in relation to herself or other states.

"We have seen her wage a war of 20 years at a cost of treasure and blood incalculable, in support of the independence of other states (as she said) when that independence was threatened by a movement proceeding from the *people* of France. We have seen her at the close of that contest abandoning the great interests of the people of other states, anxious apparently only about monarchs and thrones. We have seen her at the same epoch become in effect a member of the Holy Alliance; though she could not in form, and continue to abet its principles up to the attack on Naples. Even then the separation was but partial, and, true to her sympathy with the monarchical principle, we find her faith pledged and her

fleets ready to interpose not on any new extremity of wrong or oppression to the *people* of Naples, but on any molestation to the royal family. Since the present year set in, she has proclaimed and until now cautiously maintained her neutrality under an attack by France upon the independence of Spain, as unjust, as nefarious, and as cruel, as the annals of mankind can recount, this attack having been made upon the people of a country, by a legitimate king, urged on by legitimate nobles. It is thus that Britain has been from the very beginning, positively or negatively, auxiliary to the evils with which this Alliance under the mark of Christianity has already affected the old, and is now menacing the new world. It is under this last stretch of ambition that she seems about to be aroused, not, as we seem forced to infer after all we have seen, from any objections to the arbitrary principles of the Combination, for the same men are still substantially at the head of her affairs; but rather from the apprehensions which are now probably coming upon her, touching her own influence and standing through the formidable and encroaching career of these continental potentates. She at last perceives a crisis likely to come on, bringing with it peril to her own commercial prospects on the other side of the Atlantic, and to her political sway in both hemispheres. Hence probably some of her recent and remarkable solitudes. The former war of 20 years more than once shook her prosperity and brought hazards to her existence, though for the most part she was surrounded by allies. A second war of like duration with no ally for her in Europe might not have a second field of Waterloo for its termination. Such are the prospective dangers that possibly do not escape her.

"The estimate which I have formed of the genius of this government, as well as of the characters of the men who direct, or who influence, all its operations, would lead me to fear that we are not as yet likely to witness any very material changes in the part which Britain has acted in the world for the past fifty years, when the cause of freedom has been at stake; the part which she acted in 1774 in America, which she has since acted in Europe, and is now acting in Ireland. I shall therefore find it hard to keep from my mind the suspicion that the approaches of her ministers to me at this portentous juncture for a concert of policy which they have not heretofore courted with the United States, are bottomed on their own calculations. I wish that I could sincerely see in them a true concern for the rights and liberties of mankind. Nevertheless, whatever may be the *motive* of these approaches, if they give promise of leading to good *effects*, effects which the United States from principle and from policy would delight to hail, I grant that a dispassionate and friendly ear should be turned to them, and such shall be my aim in the duties before me."<sup>1</sup>

The one or two subsequent incidental references to the matter made by Canning confirmed Rush in his views. On September 26th, Canning told him that Daniel Sheldon, American *chargé d'affaires* at Paris had assured the British ambassador that the United States was aware of all the projects of France and the Holy Alliance upon Spanish America, and disapproved of them. If Sheldon had been instructed to say that, surely Rush must be in the possession of sufficient authority of a like nature to accept Canning's propositions.

<sup>1</sup> Rush to Monroe, September 15, 1823. From the Monroe MSS.



Rush, however, was too cautious to be drawn even into an expression of opinion, and again insisted "that certainly I had none, other than those general instructions which I had already mentioned to him, evidently never framed to meet the precise crisis which he supposed to be at hand respecting Spanish America, but under the comprehensive spirit of which I was nevertheless willing to go forward with him in his proposals upon the terms I had stated, in the hope of meeting this crisis."

This rebuff threw Canning into a new offer of compromise. Great Britain, he declared, felt great embarrassments as regarded the immediate recognition of these new states, embarrassments which had not been common to the United States, and he asked whether Rush would not give his assent to the proposals on a promise by Great Britain of *future* acknowledgment. The American minister again avoided any commitment by giving an immediate and unequivocal refusal. "I cannot be unaware," he wrote to Adams, "that in this whole transaction the British cabinet are striving for their own ends; yet if these ends promise in this instance to be also auspicious to the safety and independence of all Spanish America, I persuade myself that we cannot look upon them but with approbation. England it is true has given her countenance, and still does, to all the evils with which the holy Alliance have afflicted Europe; but if she at length has determined to stay the career of their formidable and despotick ambition in the other hemisphere, the United States seem to owe it to all the policy and to all the principles of their system, to hail the effects whatever may be the motives of her conduct."

In a despatch dated October 10th, Rush reviewed the incident, and once more declared that the last word had in all probability been spoken.

"I saw him [Canning] again at the foreign office yesterday and he said not one single word relative to South America, although the occasion was altogether favorable for resuming the topick, had he been disposed to resume it. I therefore consider that all further discussion between us in relation to it is now at an end. I had myself regarded the questions involved in the discussion as essentially changed by the arrival of the news of the convention of the 4th of July between Buenos Ayres and the commissioners from Spain; and of the complete annihilation of the remnant of the royal forces in Colombia under Morales, on the third of August, both which pieces of intelligence have reached England since the twenty sixth of September, the date of my last conference with Mr. Canning on the South American subject.

"The termination of the discussion between us may be thought somewhat sudden, not to say abrupt, considering how zealously as well as spontaneously it was started on his side. As I did not commence it, it is not my intention to revive it. If I had actually acceded to his proposals,



I should have endeavored to have placed my conduct in a satisfactory light before the President. The motives of it would not, I flatter myself, have been disapproved. But as the whole subject is now before my government, and as I shall do nothing further in it without instructions, I should deem it out of place to travel into any new reasons in support of a step not in fact taken.

"Mr. Canning not having acceded to my proposal, nor I to his, we stand as we were before his first advance to me, with the exception only of the light which the intervening discussion may be supposed to have shed upon the dispositions and policy of England in this important matter. It appears that having ends of her own in view, she has been anxious to facilitate their accomplishment by invoking my auxiliary offices as the minister of the United States at this court; but as to the independence of the new states of America, for their own benefit, that this seems quite another question in her diplomacy. It is France that must not be aggrandized, not South America that must be made free. The former doctrine may fitly enough return upon Britain as part of her permanent political creed; but not having been taught to regard it as also incorporated with the foreign policy of the United States, I have forborne to give it gratuitous succour. I would have brought myself to minister to it incidentally on this occasion, only in return for a boon which it was in the power of Britain herself to have offered; a boon that might have closed the sufferings and brightened the prospects of those infant Republics emerging from the new world, and seeming to be connected as by a great moral chain with our own destinies.

"Whether any fresh explanations with France since the fall of Cadiz may have brought Mr. Canning to so full and sudden a pause with me, I do not know, and most likely never shall know if events so fall out that Great Britain no longer finds it necessary to seek the aid of the United States in furtherance of her schemes of counteraction as against France or Russia. That the British cabinet, and the governing portion of the British nation, will rejoice at heart in the downfall of the constitutional system in Spain, I have never had a doubt and have not now, so long as this catastrophe can be kept from crossing the path of British interests and British ambition. This nation in its collective, corporate, capacity has no more sympathy with popular rights and freedom now, than it had on the plains of Lexington in America; than it showed during the whole progress of the French revolution in Europe, or at the close of its first great act, at Vienna, in 1815; than it exhibited lately at Naples in proclaiming a neutrality in all other events, save that of the safety of the royal family there; or, still more recently, when it stood aloof whilst France and the Holy Alliance avowed their intention of crushing the liberties of unoffending Spain, of crushing them too upon pretexts so wholly unjustifiable and enormous that English ministers, for very shame, were reduced to the dilemma of speculatively protesting against them, whilst they allowed them to go into full action. With a king in the hands of his ministers, with an aristocracy of unbounded opulence and pride, with what is called a house of commons constituted essentially by this aristocracy and always moved by its influence, England can, in reality, never look with complacency upon popular and equal rights, whether abroad or at home. She therefore moves in her natural orbit when she wars, positively or negatively, against them. For their own sakes alone, she will never war in their favor."

The real cause of Canning's sudden indifference was not made



known until some weeks later. Unable to draw Rush into even a partial alliance, and as unable to meet Rush's primary condition of an immediate recognition of the South American states, Canning sought to obtain some distinct pledge from France of disinterestedness so far as the late Spanish possessions in America were concerned. Approaching the Prince de Polignac, then representing France at the English court, he obtained positive assurance on the lines of his own ideas. A joint memorandum was prepared October 9th, and in it the Prince de Polignac declared

"That his Government believed it to be utterly hopeless to reduce Spanish America to the state of its former relations to Spain ;

"That France disclaimed, on Her part, any intention or desire to avail Herself of the present State of the colonies, or of the present situation of France towards Spain, to appropriate to Herself any part of the Spanish Possessions in America, or to obtain for Herself any exclusive advantages ;

"And that, like England, She would willingly see the Mother Country in possession of superior commercial advantages, by amicable arrangements ; and would be contented, like Her, to rank, after the Mother Country, among the most favoured nations ;

"Lastly, that She abjured, in any case, any design of acting against the Colonies by force of arms."<sup>1</sup>

Canning read this paper to Rush, November 24th, but did not give him a copy of it until December 13th—or too late to have any influence upon the councils at Washington.

The interview between Adams and Baron Tuyll, already mentioned, occurred on October 16th, and the official note bore the same date. On October 18th Adams drafted a reply, and, of course, without any consultation with the absent President. This draft was not submitted to Monroe and his Cabinet until November 7th. In its first form, therefore, the thoughts and expressions were entirely those of Adams. In the cabinet meeting the Secretary explained ✓ that the Russian communications afforded a "very suitable and convenient opportunity for us to take our stand against the Holy Alliance, and at the same time to decline the overture of Great Britain. It would be more candid, as well as more dignified, to avow our principles explicitly to Russia and France, than to come in as a cock-boat in the wake of the British man-of-war."<sup>2</sup> The draft of the letter to Baron Tuyll was then read. The following parallel shows the first draft, Monroe's alterations as completed on the 10th, and Adams's substitute paragraph added on the 11th. The date of

<sup>1</sup> The full text of the paper, except the paragraphs on the congress, will be found in *British and Foreign State Papers*, 1823-1824, p. 49. It is an interesting conjecture whether Canning did not use the half promise of Rush to co-operate when conversing with the representative of France. A hint that the United States would occupy the same position as England would carry great moral weight.

<sup>2</sup> *Memoirs of John Quincy Adams*, VI. 178.



the draft was originally October 18th, but November 15th was the day on which it was sent to the Russian minister.

ADAMS'S DRAFT.<sup>1</sup>

THE BARON DE TUYLL,

Envoy Extraordinary and Minister Plenipotentiary from Russia.

DEPARTMENT OF STATE. WASHINGTON, 15<sup>th</sup> Nov<sup>r</sup> 1823.

SIR,—I have had the honour of receiving your Note of the 1<sup>st</sup> inst<sup>t</sup> communicating the information that His Imperial Majesty the Emperor of all the Russias has determined in no case *whatsoever* to receive any agent whatsoever either from the Government of the Republic of Columbia, or from any other of the Governments de facto, which owe their existence to the Events of which the new World has for some years past been the theatre.

Influenced by the considerations which prescribe it as a duty to independent *Christian Nations of Christians* to entertain with each other, the friendly relations which sentiments of humanity and their mutual interests require, and satisfied that those of South America had become irrevocably Independent of Spain the Government of the United States B [have interchanged Ministers Plenipotentiary with the Republic of Colombia, have appointed Ministers of the same Rank to the Governments of Mexico, Buenos Ayres and Chili, have received a Minister and other Diplomatic Agents from Mexico, and will continue to receive and send Agents Diplomatic and Commercial, in their intercourse with the other American Independent Nations, as in the performance of their social duties, and in the pursuit of their lawful Interests they shall find *expedient* proper. While regretting that the political principles maintained by His Imperial Majesty and his allies, have not yet led the Imperial Government to the same result, and that they have not seen fit to receive the *diplomatic agent* Minister of Peace said to have been commissioned by the Republican Government of Colombia, to reside near his Imperial Majesty, the Government of the United States respecting in others that self-dependent Sovereignty which they exercise themselves, receive from you the information of His Majesty's determination on this subject in the Spirit of Candour, frankness, and of amicable disposition with which it is given.]

D. I avail myself of the occasion to reiterate to you, Sir, the assurance of my distinguished Consideration.

MONROE'S SUGGESTED CHANGES.<sup>2</sup>

B. The government of the U States thought it proper to acknowledge their independance, in March, 1822., by an act which was then published to the world. This government has since interchanged ministers with the republic of Columbia, has appointed ministers of the same rank to the governments of Mexico, Buenos Ayres, and Chili, has received a minister and other diplomatic agents from Mexico, and preservd, in other respects the same intercourse, with those new States, that they have with other powers.

By a recurrence to the message of the President, a copy of which is enclosed, you will find, that this measure was adopted on great consideration; that the attention of this gov<sup>t</sup> had been called, to the contest, be-

<sup>1</sup>What is enclosed in brackets was struck out by the President. Words in italics were also omitted from the final form of this letter.

<sup>2</sup>See Monroe's letter printed on p. 695.

tween the parent country and the Colonies, from an early period that it had marked the course of events with impartiality, and had become perfectly satisfied, that Spain could not reestablish her authority over them : that in fact the new States were completely independant. C.

[Under those circumstances my gov<sup>t</sup> has heard with great regret, the information containd in your note that the political principles maintained by his Imperial Majesty and his allies, have not yet led the Imperial gov<sup>t</sup>, to the same result. I am instructed however by the President to assure you, that this communication of H. I. M.'s determination, on this subject has been receivd in the spirit of candour, frankness, and of amicable disposition with which it is given.]

ADAMS'S SUBSTITUTE.

C. From the information contained in your Note, it appears that the political Principles maintained by His Imperial Majesty and his allies, have not led the Imperial Government to the same result. I am instructed by the President to assure you, that the Government of the United States respecting in others the Independence of the Sovereign authority, which they exercise themselves, receive the communication of H. I. M's determination on that subject in the Spirit of Candour, frankness and of amicable disposition which it is made. D.

It was Calhoun who objected to the words *Christian*, annexed to independent nations, and *of peace*, added to the word *minister* as sarcastic. In spite of Adams explaining that "all the point of my note was in these two words, as my object was to put the Emperor in the wrong in the face of the world as much as possible," they were struck from the draft. The cabinet meeting came to an end before the form of the note had been determined, but developed some difference of opinion upon the manner of replying to the Russian communications. As the communications with the Russian minister had been part verbal and part in writing, the Secretary thought it would be only proper to reply in the same manner. To answer the whole in one written note might place the Baron in an awkward predicament. But he warned the President that "the answer to be given to Baron Tuyll, the instructions to Mr. Rush relative to the proposals of Mr. Canning, those to Mr. Middleton at St. Petersburg, and those to the minister who must be sent to France, must all be part of a combined system of policy and adapted to each other." With the President Adams agreed to confine his written reply to the purport of the Baron's written note, and to see the Baron again upon the verbal part of his communication. This would be limited to an expression of the intention on the part of the United States to continue to remain neutral.

Before the note in its altered form could be prepared Adams was to see the Russian minister, and the 8th was the day appointed. Even in the interval of less than twenty-four hours, between the Cabinet meeting of the 7th and this conference, Monroe had doubts, wavered, and wrote to Adams as follows :

JAMES MONROE TO JOHN QUINCY ADAMS.

Nov<sup>r</sup> 8, 1823.

DEAR SIR,—I called to confer a moment with you respecting the concerns depending with the minister of Russia, but not meeting with you, and hearing that you are expected to have an interview with the minister of Russia, to day, I drop you a few lines on that subject.

In the interview, I think that it will be proper, to extend your conversation and enquiries to every point, which seems to be embraced, by his note, and informal communication, with a view to make it the basis of all subsequent measures, either with Congress, or through Mr. Rush with the British gov<sup>t</sup>. If you see no impropriety, in it, I think that I would ask him, whether he intended, by the terms "political principles" to refer to the governments established, in the new states, as distinguishing them from those of Europe. the strict import justifies the conclusion that he does, and that is supported by all the recent movements of the allied powers, in Europe. Still to give it that construction, without his sanction, in this form, might be objected to hereafter. I merely suggest this for your consideration, to which I add, that if there be cause to doubt the propriety of the step, you had better decline it, for further reflection, especially as other opportunities will present themselves, in future conferences with him, on the same subject.

On the other point I need add nothing at this time. Indeed I do not know that I can say anything, in addition to what was suggested on it yesterday. It is probable that something may occur in your conference, which may make it proper, to enlarge the sphere of the communication.

J. M.<sup>1</sup>

The Baron came to the Department according to appointment on the same day. The Secretary told him that he

"had submitted to the President the Note from him declaring the Emperor's determination not to receive any Minister or Agent from any of the South American States, to which I should shortly send him an answer: that I had also reported to the President the substance of our verbal conferences: of what had been said by him, and of my answers. That the President had directed me to say that he approved of my answers as far as they had gone, and to add that he received the observations of the Russian Government relating to the neutrality of the United States in the contest between Spain, and the Independent States of South America, amicably; and in return for them wished him to express to the Court *the hope of the Government of the United States that Russia would on her part also continue to observe the same neutrality.* After some conversation the Baron desired me to repeat what I had said, that he might be sure of perfectly understanding me: which I did. He then observed that he should immediately prepare a dispatch to his Government, relating to the purport of this conversation, and (it being Saturday) that to be sure of its accuracy he would send it to my house the next day, requesting me to make any observations upon it that I should think advisable.

"At this conference, upon a suggestion from the President, I enquired of the Baron, what was the import of the words "political principles," in his note of 1<sup>st</sup> October. He said they were used in the Instructions

<sup>1</sup> From the Adams MSS.

of his Government to him, and he understood them as having reference to the right of Supremacy of Spain over her Colonies ; and that this appeared to him to be so clearly their meaning that he did not think it would be necessary for him to ask of his Government an explanation of them."<sup>1</sup>

Two days later Monroe returned to Adams the draft of the letter to Tuiyll with the changes he wished to have incorporated. His note was thoroughly characteristic, again showing the indecision of the writer.

JAMES MONROE TO JOHN QUINCY ADAMS.

DEAR SIR,—I enclose you a modification, of your note in reply to that of the Russian minister for your consideration. The part for which it is proposed to be a substitute is marked with a pencil—tho' much of that thus marked is retained. You will be able to decide how far such a modification, will be proper from what may have taken place in your conference with the minister. The object is, to soften the communication, in some degree, without losing any portion of the decision called for by the occasion.

J. M.

Nov<sup>r</sup> 10, 1823.<sup>2</sup>

Having replied to the communication from the Russian minister, it became necessary to make some reply to Canning's proposals. Apart from the suggestion that recognition was a matter of time and circumstance, there was nothing in the five heads that the United States had not already accepted as its policy. The guarded utterances of Rush in his exchange of notes with Canning had gone as far as it was possible to go without positive instructions from home, and those instructions could not have been issued without unduly binding our government to follow Great Britain in every contingency. The President, by the very form of his questions to Jefferson, implied that he would even favor a departure in this instance from the traditional policy of isolation. But Canning blundered. He intimated to Rush that the Alliance had intentions against the late Spanish colonies of South America, and urged the American minister to enter into a definite and binding compact. Yet he did not tell Rush from what source he had obtained this information, and thus gave rise to a suspicion that his solicitude was not entirely disinterested, or his urgency was not calculated to com-

<sup>1</sup>The Baron said the words were used "in the instructions of the Government to him, and he understood them to have reference to the right of supremacy of Spain over her colonies. I had so understood them myself, and had not entertained a moment's doubt as to their meaning." *Memoirs of John Quincy Adams*, VI, 182.

<sup>2</sup>From the Adams MSS. In noting the receipt of this letter from the President, Adams says, "I think also of proposing another modification." The *Memoirs* (VI. 184) tell us what this modification was—"leaving out entirely the expression of regret—which he approved."

promit Rush for the benefit of the British government. Upon the despatches from Rush, Adams commented: "The object of Canning appears to have been to obtain some public pledge from the government of the United States, ostensibly against the forcible interference of the Holy Alliance between Spain and South America; but really or especially against the acquisition to the United States themselves of any part of the Spanish-American possessions. . . By joining with her, therefore, in her proposed declaration, we give her a substantial and perhaps inconvenient pledge against ourselves, and really obtain nothing in return.<sup>1</sup>

WORTHINGTON CHAUNCEY FORD.

<sup>1</sup> *Memoirs of John Quincy Adams*, VI. 177.

## RAMSAY AS A PLAGIARIST

IN THE *Annual Report* of the American Historical Association for 1899, is a review of Gordon's history of the American Revolution.<sup>1</sup> From the evidence given there and from evidence since accumulated there seems to be no doubt whatever that Gordon can no longer be accepted as an authority in American history.<sup>2</sup> In Ramsay's *History of the American Revolution*,<sup>3</sup> we find abundant evidence that the plagiarism which destroyed the value of Gordon's work is present also in the writing of his illustrious contemporary. In his preface to this work, dated October 30, 1789, Ramsay says: "The materials for the following sheets were collected in the years 1782, 1783, 1785 and 1786 in which years, as a member of Congress, I had access to all the official papers of the United States. Every letter written to Congress by General Washington, from the day he took the command of the American army till he resigned it, was carefully perused and its contents noted.

<sup>1</sup> *The History of the Rise, Progress, and Establishment of the Independence of the United States of America*. Four vols., London, 1788.

<sup>2</sup> About the same time, I published in the *Proceedings* of the Wisconsin Academy of Sciences and Arts (Vol. XIII. 419-425), a further study of Revolutionary material, going to show that five anonymous histories, published near the time when Gordon was published, were all copied, more or less closely, from the *British Annual Register*, whose authorship, at least of the American part, has been ascribed to Edmund Burke. The titles of these volumes are as follows: *An History of the War with America, France, Spain and Holland, begun in the year 1775 and ended in 1783*. Printed in the year 1787; *An Impartial History of the War in America between Great Britain and her Colonies*. London, 1780; *The History of the War in America between Great Britain and her Colonies*. Dublin, 1779; *The History of the Origin, Rise and Progress of the War in America between Great Britain and her Colonies*. Boston, 1780; *An Impartial History of the War in America between Great Britain and the United States from its Commencement to the End of the War*. Boston, 1781. The appendix to Russell's *History of America*, London, 1778, is largely borrowed from the *Annual Register*. To the same source must be ascribed in large part the *History of the British Empire, containing an Impartial History of the Origin, Progress and Termination of the American Revolution*. By a Society of Gentlemen. Philadelphia, 1798. Serial accounts of the Revolution in the *Columbian Magazine and Monthly Miscellany*, Phila., 1790-1792, and in the *Monthly Register*, South Carolina, 1804-1805, have a like origin. Most noteworthy of these smaller histories is Murray's *Impartial History of the Present War in America*, 1778, 1779, the material of which was borrowed in large measure from the *Annual Register*.

<sup>3</sup> The edition used was published in London, 1793.

The same was done with the letters of the other general officers, ministers of Congress, and others in public stations." He tells us further that in order to save space he does not give the authorities for the statements. He closes with the remark: "Intentional misrepresentations, I am sure there are none. If there are any from other sources, I trust they will be found in small circumstances, not affecting the substance." The three main points he makes are his preparation to write history, his reason for not giving his authorities and his assertion of his utmost effort to be accurate.<sup>1</sup> Unfortunately the evidence is only too clear that Ramsay plagiarized a large part of this history from either Gordon or the *Annual Register*. To show this it will be necessary only to make some parallel quotations from all these works. In the note below is given a triple quotation regarding the general situation in the American colonies at the breaking out of the Revolution.<sup>2</sup>

Ramsay is very much like Gordon in his use of the *Annual Register* for original documents or rather for second-hand summaries of them. In attempting to give the substance of the resolutions of the Suffolk County Convention he follows the *Register* so closely that he puts the wording of the 4th resolution into the close of the preamble.<sup>3</sup> In another place he makes the Salem address to Governor Gage close with the last phrase quoted from it by

<sup>1</sup> "For the entire period covered by this chapter I find no narrative apparently more just or opinions more candidly expressed, than in Ramsay's *History of the American Revolution*. Remote from the scene of conflict, Ramsay shared the passions of neither party." Winsor's *Narrative and Critical History*, VI. 67. "The Revolution Impending," by Mellen Chamberlain.

<sup>2</sup> *Annual Register*, 1775, p. 10, c. 1-2.

The people of America at this time, with respect to political opinions, might in general be divided into two great classes. Of these one was for rushing headlong into the greatest extremities. . . . The other, if less numerous, was not less respectable and though more moderate was perhaps equally firm. . . .

We however acknowledge a third party which were the friends to the administration in England, or, more properly those who did not totally disapprove of its measures; but their still, small voice was so low that except in a very few particular places it could scarcely be distinguished.

Gordon, I. 378-379. The people may be divided into two great classes. One is for rushing headlong into the greatest extremities. . . . There is a third party, who are friends to the British administration, or, rather, who do not totally disapprove of its measures; but their voice is so low that except in a few particular places it can scarcely be distinguished.

Ramsay, I. 125. The inhabitants of the colonies at this time with regard to political opinions might be divided into three classes; of these one was for rushing precipitately into extremities. . . . Another party equally respectable, both as to character, property and patriotism, was more moderate but not less firm. . . . A third class disapproved of what was generally going on. . . . All these latter classes for the most part lay still, while the friends of liberty acted with spirit.

<sup>3</sup> Ramsay, I. 128. For the resolution Boston *Evening Post*, September 19, 1774.



the *Annual Register* and by Gordon, though the phrase in question was actually at a considerable distance from the close of the address. A slight difference in wording also shows where he obtained his material.<sup>1</sup> In October the Provincial Congress of Massachusetts sent a memorial to General Gage. Ramsay describes the preparation and presentation of this memorial but he does not consult the contemporary newspapers or the original document. As can be seen from the memorial itself no such words as *apology* or *apologize* occur in it.<sup>2</sup> A comparison of a small portion of the accounts in the *Annual Register*, in Gordon, and in Ramsay will show the true situation.<sup>3</sup> One further illustration from Ramsay's Massachusetts material will suffice to prove the case against him. In Gage's answer to the memorial of the Provincial Congress he said: "It is surely highly exasperating as well as ungenerous even to hint that the Lives, Liberties, or Properties of any Person except avowed Enemies are in danger from Britons; . . . It is my duty, therefore, to warn you of the rock you are upon."<sup>4</sup> If we compare with this contemporary document the narrative of Ramsay we shall see that it differs strikingly from the original but resembles the *Annual Register*.<sup>5</sup>

Ramsay follows the *Annual Register* for his account of Burgoyne's campaign, in fact he seems to have copied the *Register* in most of the cases where Gordon had done so. The tragedy of Jane McCrea is the most striking incident of this campaign. The

<sup>1</sup> Ramsay, I. 124. See also Gordon, I. 374, and *Annual Register*, 1775, pp. 8-9. For the original address see *Boston Evening Post*, June 20, 1774, p. 2, c. 3.

<sup>2</sup> *Massachusetts Gazette*, October 17, 1774, pp. 2-3.

<sup>3</sup> Memorial to Gen. Gage from Massachusetts Provincial Congress.

*Annual Register*, 1775, p. 20, c. 2. Among their earliest proceedings they appointed a committee to wait upon the governor with a remonstrance in which they apologized for their present meeting, by representing that the distressed and miserable state of the colony had rendered it etc.

Gordon, I. 411-412. They proceeded to appoint a committee to wait upon the governor with a remonstrance in which they apologize for their meeting, from the distressed state of the colony.

Ramsay, I. 129. One of their first acts was to appoint a committee to wait on the Governor with a remonstrance in which they apologized for their meeting, from the distressed state of the colony.

<sup>4</sup> *Massachusetts Gazette*, October 24, 1774, p. 2, c. 3.

<sup>5</sup> *Annual Register*, 1775, p. 21, c. 1. He expressed great indignation that an idea should be formed, that the lives, liberties or property of any people, except avowed enemies should be in danger from English troops . . . he therefore warned them of the rocks they were upon.

Ramsay, I. 129. He replied by expressing his indignation at the supposition "That the lives, liberties, or property of any people, except enemies, could be in danger from English troops" . . . He therefore warned them of the rocks they were upon.

parallel quotations in the foot-note show how Ramsay copied.<sup>1</sup> In the André affair a very excellent illustration is to be found of the complex plagiarism of Gordon's and Ramsay's accounts. The narrative of the *Annual Register* follows quite closely in some parts the account given by Hamilton in a letter to Col. Laurens.<sup>2</sup> We are not left to conjecture this from internal evidence for at the close a warm tribute is paid to Hamilton for the generosity of his treatment of André in this letter. Ramsay seems to have copied equally from Gordon and the *Annual Register* and does not show evidence of having had Hamilton's letter at all. The parallel passages will show these points.<sup>3</sup> As a further illustration of Ramsay's methods of securing material we might mention the case of Arnold's letter to Washington pleading for the life of André. He very clearly does not use Arnold's letter<sup>4</sup> but instead copies the very close transcript of the letter in the *Annual Register*. It is only by a close examination of the text that it becomes clear which Ramsay used, the original or the copy.<sup>5</sup>

As far as accounts of northern affairs were concerned it seems proved that Ramsay must be considered as wholly unreliable as an authority. There is some degree of excuse for this; but when we come into the southern states themselves we naturally expect him to depend more upon original sources, but again we are disappointed for his plagiarism is still apparent. In his account of the operations

<sup>1</sup>*Annual Register*, 1777, p. 156. The friends of the royal cause as well as its enemies were equally victims to their indiscriminate rage. Among other instances of this nature, the murder of Miss McCrea . . . struck every breast with horror. The young lady is represented to have been in all the innocence of youth and bloom of beauty. . . . Occasion was thence taken to exasperate the people and to blacken the royal party and army . . . they loudly condemned and reprobated that government which could call such auxiliaries into a civil contest: thereby endeavoring as they said, not to subdue but to exterminate a people whom they affected to consider and pretended to reclaim as subjects. . . . Thus an army was poured forth by the woods, mountains and marshes. . . . The Americans recalled their courage, and when their regular army seemed to be entirely wasted the spirit of the country produced a much greater and more formidable force.

Ramsay, II. 36-37. The friends of the royal cause as well as its enemies, suffered from their indiscriminate barbarities. Among other instances, the murder of Miss McCrea excited an universal horror. This young lady, in the innocence of youth and the bloom of beauty. . . . Occasion was thereby given to inflame the populace and to blacken the royal cause . . . and they loudly condemned that government: which could call such auxiliaries into a civil contest as were calculated not to subdue but to exterminate a people whom they affected to reclaim as subjects. . . . An army was speedily poured forth from the woods and mountains. When they who had begun the retreat had nearly wasted away, the spirit of the country immediately supplied their place with a much greater and more formidable force.

<sup>2</sup>Hamilton to Col. Laurens, September, 1780. *Official and other Papers of the late Major-General Alexander Hamilton*, N. Y., 1842, I. 458 ff.

<sup>3</sup>*Annual Register*, 1781, 45-46; Gordon, III. 488-490; Ramsay, II. 201.

<sup>4</sup>Sparks's *Life of Washington*, VII. 521.

<sup>5</sup>Compare *Annual Register*, 1781, p. 45 and Ramsay, II. 201.

of Lord Dunmore in Virginia this appears very plainly.<sup>1</sup> The accounts of the Revolution on the western frontier as given in Ramsay and Gordon are so similar in a number of places that it is remarkable they have not been traced back to the *Annual Register*. In Winsor we find the following: "The earliest account of the massacre at Wyoming is in a letter written at Poughkeepsie, July 20, 1778,<sup>2</sup> just after the fugitives had arrived there and this account seems to be largely the source whence Gordon, Botta and Marshall drew their accounts . . . Ramsay is reasonably accurate and is free from many errors which characterize the other narratives."<sup>3</sup> Gordon's whole account was taken from the *Annual Register*; and it is equally clear now that Ramsay used the same source, though by abbreviating to a considerable extent he frequently obliterated almost wholly the close resemblance between his copy and the original. Strangely enough Gordon seems to have had in his hands the original account for he makes use of certain words which he could not have obtained from the *Annual Register*.

There remains to be considered the account of events in England and elsewhere out of the colonies. While Ramsay undoubtedly used the material of the *Annual Register* in compiling his accounts, in this part of his work he seems to have abbreviated much more freely, probably from lack of space. It is seldom that a half page can be found verbatim; more often stray phrases copied or whole sentences have been transcribed and appear every now and then in the midst of the abridgments. This has made it much more difficult to trace such plagiarism. A good illustration, however, of a fairly complete copy occurs in his account of Burke's speech in Parliament.<sup>4</sup> In the study of Gordon's history the remark is made in connection with the parallel quotations from the *Annual Register*, Ramsay and Gordon, that Ramsay was never guilty of the gross plagiarism which had disfigured the work of Gordon. At that time the only work of Ramsay's I had studied was his history of the Revolution in South Carolina. It is evident that I must retract my first statement regarding Ramsay and place him on the same level with Gordon. The modified form which Ramsay's plagiarism takes in his earlier work makes it more difficult to secure a perfectly clear case. If we were to believe his own words, we should accept him as an unquestioned authority. In his preface he tells us of his preparation and of his sources and in conclusion says:

<sup>1</sup> *Annual Register*, 1776, p. 27; Ramsay, I. 249.

<sup>2</sup> Almon's *Rembrancer*, 1779, VII. 51.

<sup>3</sup> Winsor, VI. 662-663. "The Indians and the Border Warfare of the Revolution," by Andrew McFarland Davis.

<sup>4</sup> *Annual Register*, 1775, p. 105; Ramsay, I. 168.

"He declares that embracing every opportunity of obtaining genuine information, he has sought for truth, and that he has asserted nothing but what he believes to be a fact."<sup>1</sup> But indeed even in his *History of the Revolution of South Carolina*, we see a beginning of that plagiaristic tendency that rendered his later history so worthless. From Ramsay's account of the siege of Yorktown we extract a portion for comparison with his source.<sup>2</sup> It was one of the more serious charges against Gordon that his plagiarism was conscious on account of his rather obvious attempts to conceal evidences of borrowing. Ramsay seems to have fallen into the same practice more than once, using quotation marks in order to give the impression of a direct quotation from a document. A case of this kind occurs in the description of the siege of Yorktown.<sup>3</sup>

Ramsay's account of the battle of King's Mountain is as characteristic a piece of description as his work contains, and Gordon copied it from the manuscript of the work loaned him by the author. But even here there is a distinct copy from the *Annual Register*.<sup>4</sup>

<sup>1</sup> "His book may be regarded as an authority of the first importance." Winsor, VI. 508. "War in the Southern Department," by Edward Channing.

<sup>2</sup> *Annual Register*, 1781, p. 131. Two redoubts, which were advanced about 300 yards on the British left had greatly incommoded the enemy, and still continued to impede their progress. . . . To balance the honor, as well as the duty, between both nations, the attack on one was committed to the Americans and of the other to the French. Col. Hamilton, Washington's aid de-camp, commanded the American detachment which marched to the assault with unloaded arms; passed the abbatis and palisades without waiting to remove them; and attacking the works on all sides at once, carried the redoubt with the utmost rapidity. . . . The French were equally successful on their side but their loss was more considerable . . . and the two redoubts were included in the second parallel by daylight.

Ramsay, II. 323-324. Two redoubts, which were advanced about three hundred yards on the left of the British greatly impeded the progress of the combined armies. . . . To excite a spirit of emulation, the reduction of one was committed to the French—of the other to the Americans. The latter marched to the assault with unloaded arms, passed the abbatis and palisades, and attacking on all sides, carried the redoubt in a few minutes. . . . The French were equally successful on their side . . . but lost a considerable number of men. These two works, which had heretofore embarrassed the operations of the besiegers, by being included in the second parallel, were more subservient to their ulterior designs.

<sup>3</sup> *Annual Register*, 1781, p. 132. . . . and Hamilton, in his report to Marquis de la Fayette, boasts . . . that the soldiery under his command, incapable, as he expresses himself, of imitating examples of barbarity, and forgetting recent provocations, spared every man that ceased to resist.

Ramsay, *Revolution of South Carolina*, 324. . . . in his report of the transaction to the Marquis de la Fayette, mentioned, to the honor of his detachment, "that, incapable of imitating examples of barbarity, and forgetting recent provocations, they spared every man that ceased to resist."

Hamilton's *Works*, N. Y., 1886, VIII. 48, letter to Lafayette, Oct. 15, 1781.

"The killed and wounded of the enemy did not exceed eight. Incapable of imitating examples of barbarity, and forgetting recent provocations, the soldiery spared every man who ceased to resist."

<sup>4</sup> Col. Ferguson at King's Mountain, *Annual Register*, 1781, p. 52; Ramsay, II. 185.

Ramsay must therefore be looked upon much more critically in the future than he has ever yet been in the past. He is guilty of plagiarism so commonly in one work as to condemn it as well-nigh worthless; and in another work he has plagiarized sufficiently to raise in our minds a reasonable suspicion as to his absolute trustworthiness in any portion of his published work. We cannot separate Ramsay, the consistent plagiarist of the later history, from Ramsay, the first class authority on South Carolinian history; the paradox is too striking. It is all the work of one man and one method and certainly neither can be reliable nor wholly honorable, at least from the present standpoint. Our conclusion regarding both Ramsay and Gordon must be that they are no longer authorities at first hand, but are merely discredited and doubtful contemporaries, whose accounts must be severely tested before being taken for truth. Both historians made great professions in their prefaces of having examined large numbers of manuscripts and public documents, both affirmed the impartiality and accuracy of their histories, while at the same time they were taking unverified material from a British magazine wholly without credit, copying not facts merely but the very phrases and wording of whole paragraphs and pages. Each is guilty of this in his own special field, the one in New England, the other in Southern history. Both used the same device of changing indirect discourse into direct, with quotation marks as a means of imparting more life to the narration, and possibly their purpose was, also, to conceal their plagiarism. Each copied from the other and the fault was shared mutually. They lived in a generation of successfully plagiarized histories, some of them anonymous, all of them more or less well received by an uncritical public. It is no wonder, then, that under the stress of financial need and tempted by flattering offers, they compounded with their publishers at the expense of their histories. This group of histories described in the present paper belongs quite largely to the English school and attests the power of the bond which we were thought to sever in 1776 or in 1783. Will it not be profitable, now that the last of the contemporary American historians yields his place of authority, to compile from the *Annual Register* a history of the American Revolution which shall be known for what it is under its true colors? We shall by this means ascertain more exactly what is American and what is English in the great mass of historical writing that has been accumulating for a hundred years. We need, also, it seems equally certain, an authoritative American history of our Revolutionary War.

ORIN GRANT LIBBY.

## DOCUMENTS

### 1. *A Letter of Alexander von Humboldt, 1845.*

For the following letter written by Alexander von Humboldt, we are indebted to Professor George G. Wilson. It was found in the Wheaton Collection of Brown University, a collection which includes, besides books on international law and diplomacy, several thousand manuscripts on diplomatic and political affairs. The manuscripts are mostly the letters of Henry Wheaton and Jonathan Russell. The letter here given is without address, but it was doubtless written to Mr. Wheaton, who was a personal friend of Humboldt.

Encore un mot sur l'Isthme de Panama : je crois pouvoir vous en dire ce qui peut en être un jour :

M. Chevalier n'a grandement fait que copier ou traduire en d'autres phrases ce qui se trouve dans la seconde édition de mon Essai pol. sur la Nouvelle Espagne T. I. 202-248, dans la Relation historique du Voyage en 4<sup>e</sup>, T. III, p. 117-147 et dans mon Asie Centrale (1843) T. II, 325 mais il n'a jamais touché aux véritables principes.

J'ai insisté depuis 40 ans sur la folie d'entreprendre un de ces travaux, même d'y fixer de préférence idéalement sans que les mêmes personnes examinent comparativement l'Isthme de Panama, Le Lac de Nicaragua et Guasacualco [J'ai peu de confiance en ce dernier point.]

On oublie aussi les côtes de Honduras et de Veraguas. Dans le méridien de Sonsonate le Golfo Dulce entre de 20 lieues dans les terres ; du village de Zacapa à la Mer du Sud il n'y a que 21 lieues. (Voyage, T. III, p. 127.)

Règle générale : Tout canal à un grand nombre d'écluses n'est pas océanique, ne peut servir aux grandes opérations maritimes de l'Europe et des Etats-Unis. Il ne s'agit pas de cabotage mais de navires qui, partant de Liverpool ou de New York, doivent aller à Canton, à Lima, à St. Francisco en Californie. De nombreuses écluses comme celles du Canal Caledonien n'arrêtent pas seulement la navigation, et peuvent manquer d'eau dans certaines saisons : elles deviennent aussi cause de maladie pour les marins.

Un canal océanique à cause des rapports avec le Chili et la Californie est beaucoup plus important pour les Etats-Unis qu'il ne l'est pour l'Europe. On continuerait même quand l'Isthme de Panama serait percé à aller de Liverpool à Calcutta par le Cap de Bonne Espérance, mais on

se servirait de l'Isthme pour Macao, Canton, les îles Sandwich et la Nouvelle Hollande.

Le percement d'un Isthme augmentera puissamment le pouvoir politique des Etats-Unis dans la Mer du Sud. Les négociations avec la Chine auront aussi un appui militaire plus prompt si le canal existe. La Chine deviendra plus faible vis-à-vis l'Europe et les Etats-Unis.

Les opérations très exactes qu'à ma pensée le général Doliver a fait exécuter en 1828 et 1829 par votre compatriote Lloyd et par le Suédois Falmarc ont prouvé qu'entre Portobelo, Cruzes et Panama le point culminant a la hauteur de 633 pieds anglais au-dessus du niveau des deux mers, qui est probablement le même. Le détail de l'opération a été publié dans les *Philosophical Transactions* for 1830, p. 84. J'avais supposé en 1804 la hauteur de l'arête, en ne me fondant que sur des considérations de température et de géographie des plantes, à 550 pieds.

Depuis ce travail de Lloyd et Falmarc la maison de commerce de M. Salomon à la Martinique a envoyé depuis 5-6 ans des ingénieurs à l'Isthme de Panama pour chercher un point où la petite arête montueuse est plus basse. Ces ingénieurs ont douté des cartes qui m'ont été soumises. Ils ont prétendu qu'à l'ouest de la ligne du nivellement de Lloyd il y avait une dépression de l'arête si considérable que le canal n'avait qu'à franchir une hauteur de 45 pieds de mer en mer. On comptait faire une taille à ciel ouvert, une coupure de montagnes. M. Salomon est depuis plusieurs années à Paris (Place Breda, n. 10). C'est un homme estimable qui m'a souvent soumis ses plans. Il n'a pas été lui-même sur les lieux mais M. Joly de Sable que j'ai vu aussi. Comme une partie du nivellement paraissait exécutée par le baromètre et que ce moyen nécessite des précautions particulières, j'ai eu des doutes sur le résultat. J'étais surpris qu'un fait de cette haute importance ne fixât pas d'avantage, pendant 3-4 ans, l'attention des peuples maritimes. Il était si peu coûteux d'envoyer des ingénieurs de la Jamaïque à Portobelo pour vérifier les mesures. J'en ai souvent parlé avec chaleur à M. Guizot. Il paraît que la triste occupation d'Otaheite a fait accroître l'intérêt, plus politique peut-être que mercantile. Le choix de l'ingénieur Gavella paraissait excellent. C'est un homme employé longtemps à des nivellements dans les Pyrénées. Il renie les résultats de la maison Salomon, mais je n'ai pas vu clairement dans l'extrait du rapport, si le nivellement de M. Gavella a été fait sur les mêmes points. Les projets de M. Gavella autant que je m'en souviens sont des plus chimériques. Il trouve vraisemblablement entre Portobelo et Panama (car on a la fureur de ne pas partir de cette région !!) une hauteur moindre que celle de Lloyd, je crois, de 4-500 pieds et pour avoir moins d'écluses il veut percer un immense tunnel de plusieurs lieues de longueur. Son orifice est placé à une telle hauteur que des deux côtés il faut encore 30-40 écluses ! Ceci est une folie et non un canal océanique utile à la grande navigation.

La maison Salomon en attendant a formé une compagnie pour établir un chemin de fer qui peut être d'un intérêt secondaire. J'ai exposé la mesure de cet intérêt. (des railways) *Voyage*, T. III, p. 121.



Je me tue à exprimer et à dire que l'Isthme de Panama doit être parcouru, examiné par 3-4 personnes à la fois dans toute la partie à l'est et au sud-est de la ligne de Panama à Portobelo, où le Golfe de Mandinga, appelé aussi Golfe de San Blas, rétrécit l'Isthme. Il est certain qu'entre l'Ensenada de Cupica qui se trouve sur mes cartes (ensenada de la Mer du Sud) et les bouches du Rio Atrato la Cordillère de la Nouvelle Grenade disparaît. La carte 63 (carte de Colombia) de l'Atlas de Brue vous offre ces positions. Elle est copiée sur mon Atlas.<sup>1</sup>

Le capitaine Cochrane (*Journals of a residence and travels in Colombia during 1822 and 1824*, T. II, p. 448) qui a passé de mer en mer là où passaient de mon temps les couriers de Lima à Carthagena de Indias n'a trouvé que 3 rangées de petites collines. Cette disparition de la Cordillère rend géologiquement très probable que dans [la] partie orientale de l'Isthme, là où l'Isthme se joint au continent de l'Amérique méridionale, entre le Golfe de Mandinga et le Golfe de San Miguel, l'arête formant le point culminant s'abaisse rapidement. Cette partie n'a été aucunement examinée sous le point de vue de la canalisation. Je l'ai indiqué à M. Salomon pour en parler dans un prospectus qu'il allait publier sur son railway de l'Isthme. (mai, 1845.)

Il paraît que les Belges vont en avant avec leur compagnie du Canal de Nicaragua. J'espère que vous avez vu ma Notice sur l'Amérique et les communications avec la Mer du Sud (12<sup>me</sup> clause) que j'ai insérée dans la Gazette de Spener il y a 6-7 jours. Vous y trouverez des choses qui vous intéressent.

Mille affectueux et respectueux hommages.

BER. 6 Dec., 1845.

A. V. HUMBOLDT.

## 2. *English Policy Toward America in 1790-1791.*

(*First Installment.*)

THE following documents, obtained from the English Public Record Office, illustrate England's American policy in 1790-1791, particularly at the period of the Nootka Sound episode. In the summer of 1789 Spain seized certain English ships which were on their way to establish a trading post at Nootka Sound. In the spring and summer of 1790 active preparations were made for war by both nations. France, denying the applicability of the family compact to her new situation, failed to render the effective support on which Spain relied, and a convention between England and Spain was signed October 28, 1790. In the intermediate period the United States was vitally affected.<sup>2</sup> At that time England retained the northwestern posts and encouraged the Indians to hold the Ohio River—indeed Lord Dorchester had apprehensions that Harmer's expedition against the Indians was intended against the Brit-

<sup>1</sup> This last sentence is a marginal note in the original.

<sup>2</sup> See Worthington C. Ford's *The United States and Spain in 1790*. Brooklyn, 1890.

ish post at Detroit. Expecting trouble and doubting the ability of the Union to hold the west, Lord Dorchester had for several years past been securing information on the attitude of the western settlers toward English control.<sup>1</sup> On April 17, 1790, the Lords of the Privy Council for Trade, wrote to Mr. Grenville, the Secretary of State for Home Affairs, that Vermont and the western settlements should be treated on the same basis; a liberal policy of commercial concession should be adopted, and "in a commercial view it will be for the Benefit of this Country to prevent Vermont and Kentucke and all the other settlements now forming in the Interior parts of the great Continent of North America, from becoming dependent on the Government of the United States, or on that of any other Foreign Country, and to preserve them on the contrary in a State of Independance, and to induce them to form Treaties of Commerce and Friendship with Great Britain."<sup>2</sup> This was the policy that Spain was contemporaneously applying to the leaders of Kentucky and Tennessee. Supporting the Creeks, Cherokees and other Indians of the Gulf region against American advance, and denying to the settlers the right to navigate the Mississippi, Spain intrigued with Wilkinson and her other pensioners in the West to secure the independency of Kentucky and Tennessee under Spanish protection.<sup>3</sup> The United States tried to detach McGillivray, the Creek leader, from Spain by engaging him in a treaty at New York which was completed August 7, 1790.<sup>4</sup> But McGillivray was associated in the Indian trade with the Scotch firm of Pantou, Leslie and Co., of Pensacola, who had obtained from Spain the right to this trade by an arrangement under which Spain received £12,000 a year.<sup>5</sup> McGillivray, therefore, kept in touch with Spain in spite of his American treaty, and at the same time explained to England that his action depended upon the fact that he saw that from the local situation of the Indians they could not expect effectual sup-

<sup>1</sup> See Roosevelt, *Winning of the West*, III. 129, n. 2; Winsor, *Westward Movement*, 350, 367, 389 ff.; Marshall, *Kentucky*; Butler, *Kentucky*; Green, *Spanish Conspiracy*, 292, 299; Gayarre, *Louisiana under Spanish Domination*, p. 235; and the sources in *Calendar Virginia State Papers*, IV. 555; *Report on Canadian Archives*, 1890, pp. 106, 108, 109, 131 ff.; Elliot's *Debates*, V. 97, 98, 100; *Draper Collection*: Clark MSS.—Trip 1860, vi., p. 190. Thomas Marshall, of Kentucky, wrote to Washington in 1789 that Wilkinson had warned the governor of Louisiana in 1787 of the feasibility of the united British and Americans taking Louisiana and thence advancing to New Mexico in twenty days, and had urged "the great danger the Spanish interest in North America would be in from the British power, should that nation possess herself of the mouth of the Mississippi and thereby hold the two grand portals of North America, that river and the St. Lawrence." Butler, *Kentucky* (1836), appendix, p. 519.

<sup>2</sup> Chatham, MSS., Bde. 343. Compare *Report on Canadian Archives*, 1890, p. 132.

<sup>3</sup> On McGillivray see Pickett, *Alabama*, II. 30 et passim.

<sup>4</sup> *American St. Paps., Ind. Aff.*, I. 81. <sup>5</sup> *Rep. on Can. Ar.*, 1890, p. 153.

port from her. McGillivray's rival among these Indians was William Augustus Bowles,<sup>1</sup> son of a Maryland planter who, in the Revolution, joined the British and served in the Floridas. Dismissed from the army, he went to the Indians, adopted their costume, and built up a large following in opposition to McGillivray,<sup>2</sup> by securing goods through clandestine trade with the British West Indies. His memoirs give him a most romantic career, as portrait-painter, actor and forest diplomat, and relate how he led the Indians in the English service in the final operations against the Spaniards of Florida, in the Revolutionary War. In his London correspondence in 1791, with Grenville he mentions that he is a half-pay officer in the British army. He had gone from the Bahamas to Quebec with some Cherokee chiefs, and Lord Dorchester had permitted him to present his case in person to the English government. In his letter to Grenville, Lord Dorchester suggested that these Indians' resentment against the states, arising from injudicious encroachments upon their territory, might be appeased by ensuring them a more liberal treatment under the King's protection. The party did not reach London until Spain and England had made peace, but Bowles nevertheless presented the memorial here, printed and, on the 7<sup>th</sup> of March following, Grenville wrote to Dorchester:

"Such of their requests as related to views of hostility against the United States have met with no kind of encouragement, but they will in some degree be gratified in their wish of intercourse with the British Dominions by an admission to the free posts [ports?] in His Majesty's West Indian Islands, supposing that they should find themselves in a situation to avail themselves of this indulgence."<sup>3</sup>

The distinction which Bowles gained from his British connection is shown in the report of Indian Commissioner Seagrove in 1792, after Bowles had been taken by the Spaniards.<sup>4</sup> He says:

"Although Bowles is removed, such is the baneful effect of what he has done, that the strength of his party (even at this moment) in the Creek nation, is such, that we find General McGillivray compelled to submit to their will."

Bowles was enticed by the Spaniards into their hands in 1792, but was afterwards released and returned to give trouble to the

<sup>1</sup> On Bowles's career, besides the documents that follow, see *Authentic Memoirs of William Augustus Bowles, Esq.*, etc., London, 1791; Perin du lac, *Voyage*, etc., ch. 52, p. 456; Milfort, *Sejour dans la Nation Creek*; Pickett, *Alabama*, II. 115; *Report on Canadian Archives*, 1890, pp. xlii, 153 ff.; *American State Papers, Ind. Aff.*, I. 26 295-299, 304, 651.

<sup>2</sup> *Report on Canadian Archives*, 1890, p. 153. In this interview in 1790, McGillivray gives his version of the actions of Bowles and of his lieutenant, Dalton.

<sup>3</sup> *Report on Canadian Archives*, 1890, p. xlii.

<sup>4</sup> *American State Papers, Ind. Aff.*, I. 296; cf. 264. See also Jefferson, *Writings* (1895), V. 404, and Washington, *Writings*, XII. 159.



house of Pantón.<sup>1</sup> England disavowed his pretensions and he was again seized by Spain and died in prison in 1804.

The interest of England in the Florida possessions which she had so recently lost was not unnatural and Pitt's desire to recover his "Southern Farms" finds illustration in this material. But the most significant documents are those which deal with Miranda.<sup>2</sup> After the American Revolution this remarkable man, visiting the United States, England, Prussia, Russia, and France, succeeded in interesting the great leaders of these countries in his plans. He attracted Hamilton by his great scheme of South American Revolution; he corresponded with Frederick the Great; was patronized by Catharine; won Pitt's adhesion to his ideas in 1790 and again in 1796; and interested Brissot, Le Brun, and Dumouriez in his plan for revolutionizing Spanish America in 1792.<sup>3</sup> This was followed by the attempt of Genet to secure Louisiana and Florida. The relations of Miranda to Pitt and to leading American Federalists like Hamilton and Rufus King in the period 1796-1798 cannot be here considered, nor the closely tangled web of intrigue that was woven by England, France, Spain and American frontiersmen like Senator Blount for the possession of the approaches to the Mississippi valley in the years that preceded the Louisiana Purchase. After his unsuccessful attempts at stirring up South American revolt in 1806 and 1810, Miranda died in prison at Cadiz in 1816. The significance of the documents presented in this connection lies in part in their evidence that in 1790 under Miranda's influence military preparations were inaugurated by England which had for one of their objective points the city of New Orleans, and more remotely Mexico and South America.

The attitude of Washington's government toward the Nootka Sound episode is highly interesting both because it was the first serious question of high diplomacy that engaged the new government, and even more because it gave occasion for Jefferson definitely to formulate a policy with respect to the control of the Mississippi which affected his subsequent attitude at the time of the Louisiana Purchase. During July and August, Beckwith, Dor-

<sup>1</sup> For the later career of Bowles see *Report on Canadian Archives*, 1890, p. xlii.

<sup>2</sup> Recent publications have cast new light on Miranda. See *AMERICAN HISTORICAL REVIEW*, III. 654, 674; VI. 509. The last reference gives Popham's survey of Miranda's career, based on interviews with him. Hubert Hall, Esq., of the Public Record Office, presents in the *Athenæum* for April 19, 1902 (p. 498), a valuable study of the relations between Pitt and Miranda based on the Chatham Papers, portions of which are, by Mr. Hall's kind assistance, here first printed. Compare the older work, Antepara, *South American Emancipation* and the *Edinburgh Review*, January, 1809 (xiii, 295).

<sup>3</sup> For French designs on Spanish lands in North America at the period of Genet's mission, see *AMERICAN HISTORICAL REVIEW*, III. 654, 490, and *Report of American Historical Association*, 1896, p. 930, and 1897, p. 569.

chester's agent, was holding conversations with leading members of the Federal Government, and especially with Hamilton, who asserted our determination to control New Orleans.<sup>1</sup> Jefferson, alarmed at the prospect of England's control of Louisiana and Florida, wrote in July to Monroe: "Embraced from St. Croix to St. Mary's on one side by their possessions, on the other by their fleet, we need not hesitate to say that they would soon find means to unite to them all the territory covered by the ramifications of the Mississippi," and he looked forward to "bloody and eternal war or insoluble confederacy" with England.<sup>2</sup> In case of combined action he hoped that the United States would receive the Floridas and New Orleans, leaving Louisiana to England. Upon our representative in Spain he urged the propriety of convincing that nation that England was a dangerous neighbor to Mexico, and that Spain's safest policy would be to cede us the navigation of the Mississippi, and all territory east of it on condition that we should guarantee to her all her possessions on the western waters of that river.<sup>3</sup>

On August 23d, Secretary Knox instructed Governor St. Clair to assure the British that Harmar's expedition was not against their posts. On the 26th Washington issued a proclamation against invasion of the Indian lands in the southwest, in opposition to the proposed colonization by the Yazoo company. Having thus guarded against trouble with England and Spain, on August 27th, Washington asked the opinions of his cabinet, and the Vice President, upon the answer to be given in case Dorchester asked permission to march troops across our territory from Detroit to the Mississippi, or what should be done if this were undertaken without leave. The replies to this interesting query varied. Hamilton would sooner grant permission than risk hostility and the loss of the west;<sup>4</sup> Jefferson would avoid answer, but permit the passage if necessary;<sup>5</sup> Adams would give a dignified refusal and if England crossed, await indemnity.<sup>6</sup>

The outcome made it unnecessary to choose sides on the momentous questions involved in the Nootka Sound episode, but the possession of the Mississippi valley, the Gulf of Mexico, and the choice of European allies seemed for a time at stake.

I desire to express my thanks to Hubert Hall, Esq., of the Public Record Office, for his skill and courtesy, in enabling me to procure these documents.

FREDERICK J. TURNER.

<sup>1</sup> *Rep. Can. Ar.*, 1890, pp. xxxv, 160-164, 276-278, and Hamilton, *Works*, IV. 5, 32, 66.

<sup>2</sup> Jefferson, *Writings*, V. 198, 199, 225. These papers constitute an admirable view of the whole problem of our relations to Spanish America and England at that time.

<sup>3</sup> Jefferson, *Writings*, V. 229, ff.; compare his propositions to Short, the *chargé d'affaires* in France, *ibid.*, p. 218, and to G. Morris, our agent in England, p. 224.

<sup>4</sup> Hamilton, *Works*, IV. 20, 66.

<sup>5</sup> Jefferson, *Writings*, V. 238.

<sup>6</sup> Adams, *Works*, VIII. 497.

[*Miranda's Plans.*]

I. P. ALLAIRE [R. D.] TO SIR GEORGE YONGE, M. P.<sup>1</sup>

*Sir*

Since my last a Vessell has Arrived from New Orleans with an Accot. that the Inhabitants of Mexico have taken Arms and possessed themselves of the Mines that the Governor sent 2000 Soldiers to Retake them which were Repulsed. the Insurgents were than 7000 strong—Liberty spreads her Wings from East to West

I remain with the Utmost Respect

Sir,

Your V. H. Servt

P. ALLAIRE

New York 6 Feb 1790

II. FRANCISCO DE MIRANDA TO WILLIAM PITT.<sup>2</sup>

*Sir:*

Having perhaps been importunate to you without wishing it, in fact by the repetition of my letters and messages to you, upon the final termination of my settlement in this Country, as the retard was become rather disagreeable to me I shall take the liberty to recapitulate here as in one point of view, all that has passed on my affairs. It will ease my mind and may serve you as a memorandum (if necessary) in order to facilitate the expedition of this business, which you have certainly given me every reason to suppose, is determined and decided.

When my friend Governor Pownall<sup>3</sup> proposed, and explained to you the *grand Plan* I had to communicate to the British minister for the advantages and interest of the English nation, united to those of South America, it was accepted as a measure certainly to be adopted in case of a War with Spain—and in this supposition I was desired to wait upon you at Hollywood where I had the honour to meet you by appointment on the 14th February 1790—There we had a very long conference upon the subject, in which, the nature of my Proposals; the new form of Gov-

<sup>1</sup> F. O. America H. The address is known from the endorsement.

<sup>2</sup> Chatham MSS.

<sup>3</sup> For reference to Pownall's previous plans, see AMERICAN HISTORICAL REVIEW, III. 328.

<sup>4</sup> In the Chatham MSS. Bdle. 345, undated, but with Miranda's papers of 1790 is a plan for a constitution for the Spanish American colonies. The boundaries included on the north the line passing by the middle of the Mississippi from its mouth to its source, and thence continued straight toward the west by the forty-fifth degree of north latitude to the Pacific. On the east the line was the Atlantic Ocean from Cape Horn to the Gulf of Mexico and thence to the mouth of the Mississippi. but Brazil and Guiana were not included nor the islands along the coast, except Cuba "since the port of Havana is the key to the Gulf of Mexico." The government was to be mixed and adapted to that of Great Britain. The executive power was to be lodged in an Inca, under the title of Emperor with hereditary succession. The upper chamber was to be composed of senators or caziques nominated by the Inca for life. Detailed provisions were made for elections and for local chambers and courts. Compare Pownall's scheme.

ernment<sup>4</sup>—intended to be introduced in South-America, my Personal circumstances, and actual situation etc. were fully explained, and the Whole admitted as a Plan beneficial to this Country and to be put in execution certainly in case only of a War with Spain.—Upon this Condition and Solemn promise I was desired by you to write down, either in English or French all the purport of our Conversation, adding a Statement of the whole produces of South America, the Exports and imports from Spain, the military and naval forces in both countrys, their Population etc. and to forward it to you with proper safety—which I did on the 5th March 1790, with as much accuracy and detail as I possibly could.

On the 6 of May next I received a *Note* from you by your private Secretary Joseph Smith Esq. requesting to meet you that night if possible at 9. o clock.—And in consequence I had the honour to wait upon you at White-hall, where you did me the favour besides of introducing me to the Secretary of State Mr. Grenville (now Lord Grenville).—We had a long conference—upon the subject of the preparations for a War with Spain, in consequence of the occurrences at Nootka Sound. The disposition of the People in South America towards joining the English for their independency against the Spaniards etc. And you thanked me for the Papers I had sent to you, shewing them to me in a green-box you had by you, in going to meet the Cabinet Council. Giving me new assurances of the Execution of my *Plans* if unfortunately a War as it apiered should take place between the two Countrys.—And pointing to me the same chanel of Mr. Smith, to convey with safety any thing I might think worth communicating to you.

Various interviews took place at your House in Downing Street, in the time that the great Armament, and Spanish negotiations were going on; in which I explicitly desired that a sufficient annual suport should be granted to me (as a *loan* only, till I could come to the possession of my property when I meant to repay every thing advanced to me) being now deprived of all income from my Estate in South America and having given up all my Commissions and Connection with the Court of Madrid; even with the Spanish Ambassador Marquis del Campo.—You, then was pleased to say, that in three or four weeks you should be able to answer my request; and that any sum of money I should want in

In the Chatham MSS. Bdle. 345, is also the draft of a proclamation, dated August 3, 1790, to be issued to the inhabitants of South America on the landing of an expeditionary force. It offers certain articles containing proposals for a continental government. Amnesty was offered to those who wished to leave. The officials were to be *bona fide* citizens, including a governor (a native noble) for five years, an elective supreme council for a term of four years, the regidors and alcaldes to be continued. The inquisition was to be abolished, the clergy to retain the tithes and the clerical courts. The revenue was to be continued, but collected by natives. The law courts were to be composed of natives. The governor and council might employ military and naval forces, and were to be authorized to make a treaty of federal alliance and commerce with Great Britain and with all powers that should recognize the independence of the country. For the time all legislative power was to be vested in the governor and council.



the meantime you was ready to supply me with, and that I should hear from you in two or three days there upon—I never received any money, which might be owing to circumstances I am not acquainted with.

Some time after, I presented to you the *Plan of Government* and mode of Legislation, I thought proper to be introduced in South America according to the principles of *Freedom* and *Independency*, we had agreed upon as a fundamental principle<sup>1</sup>—You seemed pleased with it, and begged to leave it with you for the farther perusal, and consideration. We proceeded talking about the Plan of carrying on the War, and attacking the Spaniards in America, wishing me to point out the *places* by which it should be necessary to begin . . . I said that it was a matter of very great importance; and that I had considered the Subject in general very much, I had not brought it yet to that precision that it required; but in a few days I should be ready to answer the question fully. I suggested at the same time other efficacious measures; such as engaging a few of the Ex-Jesuits natives of South America and now exiled by the King of Spain in the Pope's dominions; whose names and place of abode I had with me and was very sure might be engaged for such a noble purpose. You earnestly adopted the measure requesting me to send you the information without any loss of time which I did immediately, transmitting to you the names and places of residence of 300 of them that were alive in the year 1786 when I visited Italy. I forwarded also to you at the same time, by your Request, all my private Papers concerning the two last insurrections hapened at *Lima* and *Santa Fee* both in the year 1781; which authentic documents might give you the most satisfactory account of the minds and disposition of the People towards the Spanish Government; the strength and number of the militia; small force of the regular Troops; and every thing hapened at those two curious events; which shew plainly how ripe the general mass of the people was for emancipation, if the delicate points of their *Religion* and *independency* is one properly explained and

Few days after I waited upon you with my *Plan of Attack*, and *Operations* digested; and I had the honour to shew to you the Whole upon the Maps and private Plans I had with me, to your satisfaction; leaving with you the Plan and defenses of the Havana by your Request.—You did not mention, then, any thing to me relative to my previous demand of an annual support, tho' the promised term had expired; and only repeated the offer of any money I should want, which I never had received nor requested again. You asked me besides, if the Marquis del Campo had not made lately any advances to me? I answer'd that with the present views, I had given up all my pretensions in the Court of Madrid, and never had seen D. Bernardo del Campo since I wrote last to the Count de Florida blanca, and to his Catholic Majesty the present King, some time previous to those last disagreements with England ratifying my anterior resignation.

Not long after, the Convention with Spain arrived and of course every

<sup>1</sup> See the note above, p. 711.

progress in the intended operations was stoped.—Not hearing from you three months after, I applied for an interview, wishing to settle my affairs in any mode whatsoever, you answered me by your Secretary Mr. Smith, that you should wish to know, and have delivered in writing, which were my future views.—I presented them and my Terms the next day in a note dated the 28th January 1791, in which I stated “That my views now and allways were to promote the hapiness and liberty of my own Country (South America) excessively oppressed and in so doing to offer also great Commercial advantages to Great Britain. . . . That upon these principles I should be very hapy to offer, and continue my services to England. . . . That my personal situation required, I should mention a competent annual suport till I could [come in] to the possession of my property in Caracas, wher I would pay any sums of money that might be granted to me on any account whatsoever. . . . That the intention being purely Patriotic with the wishes only of producing services to my Country, and promoting the interest and advantages of Great-britain as perfectly compatible ;—services ought not to be requested from me against Spain, with any other motive ; being a point of delicacy with me, tho’ authorized by the right of nations, and the example of many great and virtuous men, in modern and antient times etc.

To this note I received no answer ; till the month of May last that you favoured me with an audience—in which you told me, that you had read and considered my Note, and was pleased to make some apology for the retard of my Affairs, being convinced I deserved well from this country, and had just Claims ; that the Roman Catholic Religion was an obstacle for holding employment but that you could not yet speak to me deffinitely, and desired me to wait three or four weeks more ; in which term, you should be able certainly to decide everything upon the subject.—I remonstrated to you, the length of time I had been waiting for this answer, the uncertainty I was under of any permanent settlement yet agreeable with my wishes :—the generous and magnanimous offers her Majesty the Empress of Russia<sup>1</sup> had made to me when I visited her Court in the year 1787 (and under whose protection I was at that very moment, by her gracious orders in a Circular and most honorific Letter to her Ambassadors and Ministers in Europe) which magnanimity was the only resource left to me now, if this country contrary to my well grounded expectations, should not take proper care of me, as I had the honor to explain it to you in our former conversations, when on Request I stated to you the sum which her I. Majesty was disposed to settle upon me in Russia viz 1000 Louis d’or per an : —and so I conceived to be highly imprudent in me to defer a moment my departure to Petersbourg, if I could not depend upon a certainty here, on my proposed terms.—You desired me notwithstanding to wait that period, giving me your *Word of honour* that I should not be disapointed any farther ; and that you would send me directly 1000 £.s to pay my previously incurred expenses.

<sup>1</sup> See Antepara, and AMERICAN HISTORICAL REVIEW, VI, 510.

In about three months after, I received an official message from you by the Secretary Mr. Smith (July the 10th) sending me 500 £ and a *promise* to conclude certainly *in a very few days all my other future arrangements*.—With this formal *decision*, that, I *must* consider as an acceptance of my proposed Terms, I gave up my intended Voyage, to Petersbrough, and wrote to my friends in consequence. If I have troubled you since, wishing for the final formal settlement soon, which as you was pleased to say, would have taken place in a few days, it is because the delays I had experienced before made me uneasy—and I am sure, you will not be surprised at it, considering I am a foreigner here, and placed in adventitious circumstances.

As your Secretary Mr. Smith is going abroad, and you, Sir, as I understand to Weymouth, I propose myself, for relaxation, to take a tour to Scotland and Ireland, and to be back in December next, relying entirely upon your kindness, honour and liberality for my future settlement, in a maner agreeable to me; and that the sum of 1200 £s per an. (that I wish should be advanced to me as a *loan* on the terms mentioned above) should not be deemed an excessive competency, for a foreign gentleman to live *in this Country*; and if in the course of few days (I may suppose 6) I receive no answer to this Letter I shall consider your silence as a tacit confirmation of the above, and as an approbation of my journey.—I take the liberty to mention to you *Mr. Turnbull* of Devonshire Square, a particular friend of mine, by whom any of your orders may be conveyed to me with safety and dispatch, as I shall constantly write to him:—and he shall be a proper person also to receive (as soon as convenient) the 500 £ reste of the mentioned sum I was to have received or any other advanced income; being, for want of it incomodod, especially to defray the expenses of my intended Journey.<sup>1</sup>

I hope you will excuse this unavoidable trouble—and be convinced of my warmest wishes for the prosperity of England, whose glory I expect to see increased yet, by the executions of my proposed Plans:—and even before that period arrives, I flatter myself that I may have opportunitys to prove my sincere atachment to this Country

I have the honour to be, with the greatest respect and regard Sir,

Your most obed<sup>t</sup>. and most hum<sup>l</sup>. Servant

FRANCISCO DE MIRANDA

LONDON Jermyn Str. 2. 47

September 8. 1791

The Right Hon<sup>l</sup>. William Pitt.

<sup>1</sup> On September 7, 1792 Pitt informed Grenville: "The 800 £ about which you enquire was for Miranda and Smith has his receipt. . . ." Fortescue Papers, II, *British Historical MSS. Com., Report*, V, p. 310.



III. SIR ARTHUR CAMPBELL TO WILLIAM PITT.<sup>1</sup>

Upper Harley Street 28th Oct. 1790

Dear Sir

Major Blomhart has not yet arrived from Guernsey but in the course of my looking out for others who would give me information regarding the present State of New Orleans I was fortunate enough to fall in with one Winfree a Captain in Blomhart's corps, who served with him in all his difficulties and ill treatment under the Spaniards last War. Winfree lives in one of the Bahama Islands and has had late letters from his friends in the Neighbourhood of New Orleans informing him of their dislike to the Spaniards, and that, if it was to be a Spanish War and that they would have two or three British Ships of War stationed in the Mouth of the Mississippi, they would undertake not only to make themselves Masters of New Orleans but to sweep the whole Spaniards in that quarter to the Rivers mouth.

I have desired Winfree to let me know the name of those he had Dependence upon for raising men and the Numbers each would raise on any Sudden emergency if wanted; and hope to have it in my power to acquaint you of it in the course of a couple of days at furthest. I put on the footing of bringing their names early in view for commissions in case there should be a War with Spain which was still very Doubtful.

I think it my duty to lay before you a Memorandum on the Subject of marching troops from New Orleans to Mexico, an Idea which does not appear to me safe, nor in any degree promising success at this hour.

I have the honour to be, with great respect,

Dear Sir,

Yours Most Faithful

The Right Hon<sup>ble</sup>

William Pitt &c &c &c

humble Servant

ARCH<sup>d</sup> CAMPBELL

<sup>1</sup>Chatham MSS. Bdle. 120. In the Chatham MSS., Bdle. 345, is a long memorandum unsigned, dated November 26, 1803, from some officer to Pitt. It begins by referring to the situation in 1790 and states that if war had then broken out an expedition would have been sent to Spanish America, one part under command of Sir Archibald Campbell, and the other of the writer, who was consulted by Campbell. There was to be co-operation from India. The writer refers to the projects and influence of General Miranda, who is well known to him as also his plans. Alexander Hamilton warned Lord Dorchester's agent, Beckwith, in the summer of 1790 that the United States looked forward to the possession of New Orleans. *Report on Canadian Archives*, 1890, pp. xxxviii, 149, 161-165; Hamilton, *Works* (1885), IV. 5, 32, 66. Scott, a member of the House of Representatives from Pennsylvania, suggested to Beckwith that England should take New Orleans, aided by operations on the upper Mississippi by American troops under General Knox, "and, this effected, to conduct an Army to be formed in the Western Country by land from thence into Spanish America." *Report on Canadian Archives*, 1890, p. 147; compare the documents on Bowles and the Floridas. Popham's outline of Miranda's career given in *AMERICAN HISTORICAL REVIEW*, VI. 509, alleges that shortly after the American Revolution, before going to Europe, Miranda received assurances from Washington, Knox and Hamilton, that New England troops should assist him if Great Britain gave aid with her navy. It is probable that Popham's statement is an error, but the later connection between Miranda and Hamilton is well known. On Jefferson's attitude at this time see the introduction to these documents.

IV. MEMORANDUM

*Enclosure*

October 28<sup>th</sup> 1790

Upon an examination of the distance from New Orleans to the Town of Mexico by the shortest Route according to Mensuration taken upon several different Maps I find it is not less than Twelve hundred English Miles.

On the supposition that there was a tolerable good road along this Tract, and that an Army even without Artillery were to march continually at the rate of fifteen miles per day, it could only be accomplished in the space of Eleven weeks or Seventy Seven days. If to this circumstance is added the number of horses, mules or bullocks necessary to carry tents baggage, provisions, Stores, Medicines and Ammunition, for such an Army, it may be readily conceived that the difficulties to be surmounted in the execution of a march of this nature will be much greater than is at present attended to, even if it was certain that the natives of those Countries through which the Troops were to pass, were in a State of friendship with us. But as that is not the case, and as the Districts through which the Troops must pass, have not yet been explored by any person on whom a confidence can be placed, I should think from all the information I can at present collect, either from Maps or from Men who have been in North America that the march of an Army from New Orleans to Mexico through Savannahs and Forrests so little known to us may be attended with the most fatal consequences at this Juncture.

A. C.

[*Bowles and the Floridas.*]

V. OCCURRENCES FROM 5TH JULY TO 3D AUGUST 1790.<sup>1</sup>

McGillevray the Indian Chief of Several of the Southern Tribes of Indians arrived here the 24th Ulto accompanied by Twenty Nine Kings Chiefs and head Men of different Nations to fix on the Boundaries between them and the United States, they are much caressed and great attention is paid to them when any treaty is formed. Your Agent in Canada shall have timely notice that he may order Goods out accordingly, or remove where he thinks it may be most for the Interest of the concerned. . . .

Your favour of the 3d June I have safe, in Answer thereto, we are to poor to partake of your Offer nor is is a time *for them* to enter into disputes with foreign Powers, having almost as much to do as the French National Assembly: We are far from being a Settled Nation at present the Southern Members forming one of<sup>2</sup> the Northern Members, another party in both Houses, their chief aim is selling<sup>3</sup> the Individual States debts to be paid by the Union, a mere flea bite but yet it has occupied their Attention for Months and created great ill will amongst them.

<sup>1</sup> F. O. America H. Information by the secret agent who gives his name as R. D. in the despatches, and as P. Allaire, in his private communications to the English ministers; he writes from New York.

<sup>2</sup> And?

<sup>3</sup> Settling?



But with your permission I will inform you what I think may be done with certainty.

From 5 to 7000 Men may be had from the Western Country that would assist any Nation to take the Floridas from the Spaniards on Condition they<sup>1</sup> the Western Territory should have a free Navigation of the Mississippi, it is now in your power (If a War with Spain is Actually begun tho by Recent Accounts they have ask<sup>d</sup>. Pardon) to bind us in Adamantine Chains of Friendship and Alliance with you—take the Floridas Open a free Navigation of the Mississippi for the Western Inhabitants, and you bind that Country and its Inhabitants for Ever in spite of Congress, or all the world, for without the Mississippi, its fruitfulness is useless, a few frigates and 2000 men would retake it in three Weeks and if proper means were made use of I would engage for a sufficient Number to Assist, those People are not as yet subject to the Laws of the Union, they are at present a large body of People, governed by local Laws of their own forming and propose being part of the Union on certain Conditions, as a proof of which, they undertake Expeditions against the Indians, destroy them and add their Lands to their possessions, they have drove away two Spanish posts of 30 and 25 Men and I [?] have demanded<sup>2</sup> and obtained a free Navigation for their produce, this has been done contrary to the Express Order of Congress, if therefore proper mode is made use of, which I will communicate. If you order it nothing so Easily done as your Regaining the Floridas, your Answr. to this, must be in the Mercantile Stile, which I shall fully comprehend.<sup>3</sup> A due consideration of the Above may lead to matters of the greatest Importance to both Parties, for they are Men desperate in principal and fortune, and would almost undertake impossibilities to acquire a few thousand Spanish Dollars.

You may rest assured nothing can be done with this Government at present. No offer would tempt them at present to Enter into a War, nor is the Animosity of the leading Men yet so entirely forgot against the English as to induce them to join in a War with them. We are a Strange Nation, English principals and Roman Ideas, every Man of £100 a year is a Souverain Prince every Mechanick a Man of an Independent principal there is no distinction amongst us today. Speaker of the Assembly or President of the Senate tomorrow the same Men, one a Carpenter, the other a Grocer, thus we jog on.

#### VI. OCCURRENCES FROM 6 AUGUST TO 1 SEPTEMBER, 1790.

Your last letters of April and May came safe to hand and have been carefull perused Read and digested and the following is my Opinion founded on Experience, knowledge and Acquaintance with those they may be concerned. Should a War breake out between you and S[pain]

<sup>1</sup> That.

<sup>2</sup> Possibly an error of the copyist. The / is apparently superfluous.

<sup>3</sup> Note the light cast on the next correspondence "in the mercantile stile."

and you are willing to Reposses your Southern Farms,<sup>1</sup> I am confident you may easily Recover them with 2000 (Pounds) Men and a few Men of War, by timely notice you may rest assured that an Equal Number from the Western Territory will join you, not by order, consent or Approbation, of the United States, but by those who Acknowledge Allegiance to NONE. Men, hardy, inured to fatigue and danger, expert Marksmen who live by hunting and who have for these last five Years lived Constantly in the Western Woods and who are as constantly attacking and Attackd. by the Indians, these Men in my opinion (*for the purpose*) are equal to any 5000 sent from Europe: they want the free Navigation of the River, they want the lands along the River and Above all they Want Employ being most of them destitute of Clothes and Money and the Major part of them were Soldiers during the War against England, Many of the best officers in the American Army have retired there and would prefer *Employment* to farming where every Requisite is wanting: besides the Acquisition of so many Subjects for Rest Assured a few leading Characters Excepted you are the favourites and it would go hard to raise an Army against you—the above you may fully rely on—on proper means being first put in practice but in must be confided but to few. I am confident that not above three can keep A Secret and Sir John your Consul must not be One, *the Means* are Money and fair Promises such as you intend to perform and keep after the work is done.

N. B. When you honor me with an Answer put 2000 Pounds for 2000 Men. Farms, Florida, the Rest I undoubtedly shall fully comprehend.<sup>2</sup> One British Officer with me will be Sufficient to carry any such Scheme into Execution.

VII. GEORGE BECKWITH TO W. W. GRENVILLE.<sup>3</sup>

NEW YORK August 5th 1790

Sir

In conformity to Lord Dorchester's secret instructions dated the 27th June I esteem it my duty to transmit the several inclosures hereto annexed.

1. No 1 contains communications made to me by the gentleman high in office,<sup>4</sup> with whom I am in the regular habit of intercourse, on which subjects nothing new has occurred.

<sup>1</sup> Sir George Yonge wrote to Mr. Aust, Feb, 16, 1791, relative to this secret agent, P. Allaire (R. D.), asking Mr. Aust to consult Mr. Pitt on the subject, "more especially as Mr. Pitt lately expressed himself satisfied with the Correspondence, and directed encouragement to be given for information relative to what He calls *Southern Farms* the meaning which is understood and He wishes for positive Instructions whether to put a final End to any Correspondence on the subject or not." See the next letter: "Southern Farms" means the Floridas.

<sup>2</sup> By this he means that "pounds" shall signify "men", and "farms", "Florida."

<sup>3</sup> F. O. America L. Grenville was then Secretary of the State for the Home Department.

<sup>4</sup> Alexander Hamilton?



2 No 2 is the general estimate of the annual disbursements of the government in consequence of the recent assumption of the State debts, and which as it respects the Ways and Means will be debated at the House of . . . Representatives tomorrow.

3 No 3 is a letter addressed to M<sup>r</sup> Nepean which has been put into my hands by a person of the name of Dalton,<sup>1</sup> who declares himself to be a Lieutenant on the half pay list, in His Majesty's provincial service, this gentleman from his own account was sent last summer by the Creek Indians to London on the concerns of their nation and of other neighbouring tribes, and in consequence (as he asserts) had access to the King's Ministers in the present critical situation of affairs I thought it prudent to receive this letter, and to use general expressions of friendship towards these Indians, who border on the Spanish Provinces, avowing at the same time that I had no authority to treat with them (which they solicited by Mr. Dalton's accounts) and declaring that we were at peace with the United States.

Colonel Macgillivray who is the principal leader of the . . . Creeks is still here negotiating,<sup>2</sup> and nothing has yet transpired, I acknowledge I entertain some doubts whether this gentleman and M<sup>r</sup> Dalton are perfectly cordial, but hitherto I have not been able to ascertain it.

The Spanish Resident presented a letter from Spain to The President on the 3rd Instant which came from Falmouth by the June packet.

I have the honor to be with the highest respect

Sir,

Your most obedient and most humble Servant

GEO. BECKWITH.

NO. 1 "Extract"

NEW YORK July 15<sup>th</sup> 1790

I have communicated to the President the subjects on which we have conversed, and feel warranted to assure you that there is the most sincere good disposition on the part of the Government here to go into the consideration of all matters unsettled between Great Britain and us, in order to effect a perfect understanding between the two Countries, and to lay the foundation for future amity, this—particularly, as it respects commercial objects we view as conducive to our interests.

In the present stage of this business, it is difficult to say much on the subject of a treaty of Alliance, your rupture with Spain (if it shall take place) opens a very wide political field; thus much I can say, we are perfectly unconnected with Spain, have even some points unadjusted with that Court, and are prepared to go into the consideration of the question. The speeches or declarations of any persons whatever in the Indian Country or to the Westward suggesting hostile ideas respecting

<sup>1</sup> On Dalton's relations to McGillivray, see *Report on Canadian Archives*, 1890, pp. 153, 155, giving the latter's opinion of Bowles and Dalton. Evan Nepean was Under Secretary of State for the Home Department until 1789 or 1790.

<sup>2</sup> See *Report on Canadian Archives* as above, and *American State Papers, Ind. Aff.*, I. Pickett's *Alabama* gives an account of McGillivray based on documents in part.

the Forts, are not authorised by this Government Lord Dorchester's conduct with respect to the Indians is held by us to be a strong proof of his Lordship's dispositions to promote harmony and friendship.

VIII. THOMAS DALTON TO EVAN NEPEAN.<sup>1</sup>

NEW YORK 3rd August 1790

*Sir*

I am sorry to inform you the answer of his Majesty's Minister on the 24th of June '89 is by no means acceptable to my friends in the Creek Nation. It gives them reason to suggest that they are totally *deserted* by your *standard*. However, Sir, I as a British Subject beg you may reconsider the last business. I communicated to you on the part of the Creeks Fearing the consequence that may hereafter follow I have communicated my sentiments to Major Beckwith Aid de Camp to Lord Dorchester, who does me the honour to transmit this letter to you, and leave him to explain my wish that you, write me, to Lord Dorchester, as through any other channel I cannot receive it with safety to myself and the interest of your Nation. As my Situation is delicate I submit to the information of my friends on the business and beg leave to Solicit the Honour of your answer by the first Packet

I have the Honour to be, Sir, Your Most Ob<sup>t</sup> Hum<sup>l</sup> Serv<sup>t</sup>

THOS. DALTON

IX. GEORGE MILLER TO THE DUKE OF LEEDS.<sup>2</sup>

CHARLESTON September 3d. 1790

*My Lord Duke*

I have this day had the honour to receive your Grace's dispatch dated the 7th of May via New York, covering His Majesty's most gracious Message to both Houses of Parliament, communicating intelligence of the capture of some British Vessels by the Spaniards on the North Western Coasts of America and the very Affectionate and loyal Addresses to His Majesty in answer thereto

The possibility that hostilities might soon commence between Great Britain and Spain, having some weeks ago reached this place through the public papers, it instantly became my duty to make every enquiry in my power with respect to such parts of the Dominions of Spain as are at no great distance from hence.

The intelligence I have hitherto received is entirely confined to East Florida where a new Governour had lately arrived from Havannah in the room of Don Manuel De Lespedes; that the Garrison was augmented only in a small degree and that though the rumour of a war had reached that place, nothing had been done to put the fortifications in a state of defense. By an account I have more recently received, but on which I

<sup>1</sup> No. 3 in Beckwith's letter above.

<sup>2</sup> F. O. America H, No. 26. The Duke of Leeds was Secretary of State for Foreign Affairs. George Miller was the English consul at Charleston.



cannot rely with the same confidence as on the other, it is said the new Governour had called in the outposts from the River St John, in order to secure the Citadel at St Augustine from any slight attack. The small number of Military at present in the Province precluding all hopes of resisting one of a more serious nature.

Situated as I am, and liable to imposition from the peculiar interests of men from whom I must derive what information I get, I am fully aware how cautious I ought to be in every intelligence I ought to convey to your Grace. I must therefore beseech that what I now send may be received as the most authentic I could at this time obtain, the more especially if in the event of a war any stroke should be meditated against the Province of East Florida.

But whatever the defenceless state of that Province may be, I must entreat your Grace to pardon the presumption of expressing my hopes that if a rupture has taken place between the Courts of London and Madrid, East Florida may not be considered of sufficient consequence to be attacked.

The fidelity I owe to my Sovereign and my zeal for the Glory of His Crown and the interests of His People call upon me to assign my reasons for these hopes.

The Provinces of East and West Florida in the possession of Spain are looked on with a very jealous eye by the people of these States the first holding out strong allurements to the Slaves in Georgia and Carolina even, to quit their masters and on their reaching St Augustine they meet with an asylum under the specious pretext of regard for their Souls. The free navigation of the river Mississippi guaranteed by the Treaty of Peace to the Citizens of America, has been in some instances obstructed, which has been ground of great uneasiness to them, and unless the present rupture with Spain produces an alteration in her Councils, will, in my opinion be entirely stopped by that Court, if ever attempted to be carried into effect by the Americans. The differences of advantages attending these two Provinces is immense. The former almost without inhabitants, except at two or three small posts; without soil to raise more than the bare necessities of life even were it more fully settled and without having national support to make exertions must render it a poor acquisition to any power. The latter, rich in soil, already tolerably populous on the banks of its various rivers and capable of becoming infinitely more so, might make it an object of greater importance. However, on this I do not presume to give an opinion.

The inference I would humbly beg leave to draw from this account of these two Provinces, the possession of which I do not believe would be to the permanent interest of Great Britain, is that the people of America do not, I have reason to think consider themselves under any obligation to Spain for the part she took in the late War but that it was entirely dictated by the contracts subsisting between her and France, therefore as it is possible the present convulsions there may dissolve the compact of the House of Bourbon and the Government of France may

adopt a different scheme of policy, the United States, this cause of contention remaining in the hands of Spain may in all probability find it their best interest to seize some favourable moment to second the views of Great Britain against a neighbour who has rendered herself very obnoxious to them. How far such a Junction might be good policy it is not for me to determine.

I must again solicit your Grace's pardon for what I have here offered for consideration. The principle upon which I have done it will, I trust excuse me however, its policy may be condemned. The manner in which these hints have been made requires every apology on my part, but a ship being on the point of sailing when your Grace's dispatch reached me I had not time to reduce them to better form.

Any information I may, from the most diligent attention to the subject, be enabled to communicate shall be forwarded to your Grace by every conveyance that offers

I have had the honour to reply on the 17th of July to Mr. Aust's letter of the 5th of May, duplicate of which I also received this day

With the utmost Deference and Respect, I have the honour to be

My Lord Duke

Your Grace's most humble and most obedient Servant,  
GEO. MILLER.

X. OCCURRENCES FROM 6TH OCTOBER TO 4 NOVEMBER, 1790<sup>1</sup>

The President of the United States has made Treaties with all the Indian Tribes both to the Northward and Southward and yet they daily commit murders, and in so open a manner that the People of Kentucky and the Western Territory have just now made an Invasion into the Northern Indian Country with two thousand Volunteers who are determined not to give or take quarters, this is only a small Specimen of the Obedience of those People to the United States, and their determined manner of Acting in every Respect the most conclusive to their Interest. We are pushing the Nootka Sound Trade all in our Power two from Boston three from Philadelphia and two from this port have sailed this fall for that port as you have in some manner almost entirely annihilated our trade to the West Indies we must push it some where. had we a Capital you would find us strongly opposing you in the China Trade, for every Dollar that can be got, goes there for Teas, Nankeens China and our Teas now sell 20 pC Cheaper than your best India Sales and I make no doubt in a few years we shall send Teas to Ireland for their Linnens, as for our Manufactories, they are in their Infancy and not Capable of furnishing one thousand part of our consumption. I went on purpose to Hartford (Connecticut) and into Boston State to examine into the Wollen and Sail Cloth Manufactory, it is a very humble beginning (the Wollen) their Capital about one thousand Sterling and the proprietors informed me, If Connecticut State did not Assist them with the lend of

<sup>1</sup> Chatham MSS. Bdle. 343. Evidently sent to Pitt.

Two or Three Thousand pounds that they must give it up, as Individuals would not advance, the Sail Cloth Manufactory is not in a much better Situation, the only Manufactory that can hurt You at present is Nails and Leather Nor can we (in my opinion) oppose you in any other branch for many years such as Woollen and Linnens of all Sorts, Cutlery etc., therefore any other information is Erronious.

The Commissioners Appointed by the States of New York and Vermont have fixed and determined the boundaries of Vermont on certain Conditions the chief are, that Vermont pay thirty Eight thousand Dollars to New York within the Year 1792 and that they come into the Confederation before the year 1794.

I have done myself the honor of fully Answering your *two Letters* and I am fully confirmed in my Assertions and Opinions by what I have since lernd and my own knowledge and Experience of that Country believe me it will turn out to you a Second India, nay more, for you will always command the Granary of America, you will please to think Seriously of this matter, and should there be a War by all means possess the Floridas, they are more Valuable than the mines of Peru & Mexico should that Affair take place, you will please to think of me as Collector of the Customs, or Secretary of the Colony. I am so fully convinced of its Consequence that I would Emigrate on the above Conditions, Canada can never be a Commercial Province as they only have five Months Navigation in the Year and that a very dangerous one Wheras the Mississippi is always Navigable and the Western People can at all times Raft down their Lumber and produce and their demands in a few years will be Equal to one half of the United States for British Goods, this is as clear as any Problem in Euclid, it is no vain Speculation no Idea of acquiring Approbation unmerited, but what must be Absolutely the Case, let who will possess the Floridas. . . .<sup>1</sup>

Should your Government Ever possess the Floridas the Emigration from this Country would exceed belief as there are many discontents amongst us, and New Orleans would in Seven Years be the largest City in America and the greatest Mart for Grain and Lumber.

I Remain with profound Respect. Sir

Your very Hum. Serv,

November 4th 1790

R. D.

XI. OCCURRENCES FROM 1ST DECEMBER, 1790, to 6TH JANUARY 1791.<sup>2</sup>

I had the honor in my last letter of —th December to state my meaning fully, also to have answered your favor of 7 October, which I hope you have received.

I Request your house would consult some professional Man, with respect to the facility of coming and going from New Orleans, both to your Windward and Leeward Islands, they can go at all times, and their passages are equal nearly, that is about fourteen days, it is the Center to

<sup>1</sup> A digression on business matters follows.

<sup>2</sup> F. O. America, J.



all the West Indies and the only port on the Continent that is so equally situated the Utility and benefit that now Exists. I have had the honor to explain with respect to its future benefit you are more Competent to judge than I am, but the Imports and Exports from New Orleans in Seven Years, were you possessed of it would (in my opinion) exceed any state in the Union by the Rapid Increase of the Western Territory and Emigration to Florida.

With Respect to Aid I am fully convinced they would give it to you on the conditions already mentioned, at least from every information and knowledge I have and can get, but you will please to observe, I do not hold myself accountable for the Absolute performance, they are *Swiss* and must be used accordingly, it is not out of love or friendship they Assist but Necessity (for want of Cash) compells them and your greatest Enemies were they to offer more and better terms would procure them, Circumstance worthy your most serious Condition, but by all means let me conjure you not to trust to many, Secrets of this importance should be instructed to but few. I also would prefer a Military Man to be sent in whom they may have more confidence than in me I will Assist him all in my power but let him be a very prudent One or he will be *too tall by a head* as those Western Lads have very Summary Laws.

Should you not coincide with my opinion S——[pai]n will hold your Islands at pleasure having the Havanah and Florida where their Navy lays Secure from the haricanes and where all your leeward fleets must past and where they have every Necessary for forming a Navy. Naval Stores from Carolina and Hemp from the Ohio, they now carry produce to New Orleans upwards of Two thousand three hundred Miles of<sup>1</sup> this Country is not superiour to Mexico to you, I am a very Ignorant man, the Immense quantities of clothing that this Country must want in a few years would be of the Utmost Importance to your Revenue.

The Windward Islands can go and come by the Windward passage the Leward Islands by the Gulf none will ex[tend] (in general) above fourteen days your house will be surprised that they never saw its Consequences but once point out will be sufficient

Twenty years possession of this Country you would want nothing from Rushia, your own Colonies would not only supply you with Iron, Hemp and Naval Stores, but you would supply other Kingdoms with those Articles and Grain you would possess the Granary and Arsenal of America and hold all the West Indies, French, Dutch, Spanish and Danes at your disposal by having an Immediate access to them at all times and in so short a space of time they may be conquered and reconquered before any Acco<sup>t</sup>. can be sent to Europe and Succours sent them.

It would be prudent in my opinion to try what Aid could be acquired before a Person is sent, I know no other method than that which I have already stated by Employing a few leading and popular Men amongst them, as for Strangers going and proposing the Question, he would never succeed and ten to one would but lose his life they must

<sup>1</sup> If.

first pave the way and get adherents, when ready formed, a Person from your House as *director in the Manufactory* would be absolutely Necessary. I think I have fully Explained every particular and as you can do nothing before May if your house think proper to make the Experiment your Answer to mine of the 1 December and this will be time enough to put things in a proper train and the end of the journey to Kentuck. I refer you for the particulars of the plan as the most prudent, frugal, and Eligible. [R. D.]

XII. EXTRACT "R. D." TO SIR G. YONGE 20TH JANUARY, 1791.<sup>1</sup>

Your favor of the 30 November came to hand the 17th Inst. and have duly considered the same. I should have obeyed your orders of the 4th of said Month with punctuality in regard to your Southern Farms and am convinced I could have assisted you in selling them having had the promise of Two very Substantial and *Capital Farmers*.

You will be pleased to inform me by first opportunity wether the Agency for this Country is Also discontinued as well as that for Canada and wether I am not to be allowed my former Sum of £200 per [?] Annum to keep Affairs in such a Situation, that should you want to settle your *Southern Farms*, it may be done with lapidition<sup>2</sup> on the Terms I had the honor of writing you the 6th December and 5 January last as well as to inform you the Real State of your Creditors here

XIII. WM. A. BOWLES TO LORD GRENVILLE.<sup>3</sup>

*My Lord*

I have the honor of enclosing to your Lordship A paper, which is addressed to his Majesty, and which I trust I shall be permitted to deliver to him in person, if there is no objection to any part of its contents or to such a manner of delivery.

On both these points I submit myself to the Judgment of his Majesty's Ministers and More especially of your Lordship.

This paper contains enough to express the wishes of the Nation, under the present circumstances; But the connection which it is wished to form with Great Britain, goes to objects of a more extensive nature and such, as would not be proper to be opened in the address to his Majesty.

These, I have reserved for a private letter, which I will take the liberty of writing to your Lordship and your Lordship will Judge whether they are such as will deserve the Attention of Great Britain, or not.

I have the honor to be,

My Lord

Your Lordships Most Obedient Servant

Osburns Hotel

WM. A. BOWLES.

Jany. 3d. 1791

<sup>1</sup> F. O. America I. See above page 718, 719.

<sup>2</sup> Expedition (?)

<sup>3</sup> F. O. America L.



The Representation of Wm. Augustus Bowles in behalf of himself  
and

Unatoy  
Kuahtekiske  
Sepouejah  
Tuskeniah  
Wopio

Deputed from the United Nation of Creeks and Cherokees

To His Britannic Majesty

May it Please your Majesty

In conjunction with the persons whose names are above mentioned, I have the honour to address your Majesty, as Representatives from the United Nation of Creeks and Cherokees: Who, united to your Majesty by the obligation of former Treaties but much more by the ties of attachment to the British Name, and Character, which no change of circumstances has been able to obliterate from their Minds, have commissioned us to seek the presence of your Majesty, through the dangers and hazards of a long journey by land and by water, And, to explain in the fullest manner, their present situation, their old alliance with the British Nation, what they have borne, and what they have forborne, to preserve inviolate their faith and attachment etc etc etc

Having discharged my duty towards the United Nation by conveying their Humble Address and representation to your Majesty; It may be expected that I should say somewhat of myself, who, being one of your Majesty's subjects and upon the list of your half pay officers, ought to give some reason for appearing before your Majesty in my present character.

Not to detain your Majesty with much upon a subject so insignificant as myself. It is enough perhaps to say, that I was an Ensign in one of your Majesty's Provincial Corps at New York in the year 1778 and went with the Corps to West Florida where they arrived in the beginning of the year 1779, that I was struck by the Commanding Officer from the list of your Majesty's Officers without the benefit of a Court Martial, the form of a resignation or any one reason assigned. Thus reduced, by a stretch of power, never paralleled in your Majesty's Service, in a strange country, without any means of support only about fourteen years of age, I owed my preservation to the generosity of a Chief of the Creek Nation, who succored me in his family. I took the Indian Dress, soon habituated myself to their Manners, and became at length, from custom, and from choice attached to the Nation to which I was otherwise bound by the ties of gratitude.

When your Majesty's Commander in West Florida, Genl Campbell in the year 1781 sent to the Creek Country for Warriors to join the British troops, to act against the Spaniards, I came among those, that were sent, and served as an Indian, during the whole time the British troops continued in that Country, when the place was about being surrendered to Spain, it was proposed to me by Genl Campbell that I should join the corps to which I had once belonged, and I accordingly accepted

a Commission, which I held till September 1783; when, finding your Majesty had no immediate call for my service and previous to the evacuation of New York I obtained leave of absence from Lord Dorchester, and, led by the attachment which was still warm in my breast I returned to the country of the Creeks, with whom I have lived ever since.

What relates to myself while I served with your Majesty's officers, is neither becoming, nor necessary for me to relate; As to that part of my life which has been spent among the people, who are so little known in this Country, I may venture to say this much for myself; that I hope a British subject is discharging the character, we all aim at, if he is endeavouring to do good in any part of the Globe, that among the people, where I am settled, I have always made this my endeavour, and not to speak proudly, I believe I have done much to promote their happiness, both in their private life and in their National concerns. But of this I am sure, and in speaking of it I shall not fear to speak proudly, That I have always preserved my Allegiance to your Majesty and my affection to this Country, that I have risked my life and wasted my property to maintain both; and that in all circumstances I will endeavour to advance the interest of G. Britain.

Waiving all other proofs which I could produce, if necessary of these declarations, I trust them upon the credit of what is now in your Majesty's presence. Your Majesty sees one of your subjects becoming the adviser and the leader of an independent and populous Nation, presenting to your Majesty their devotion and services as Allies, both in peace and War; and under circumstances highly advantageous to the Commerce and Interest of Great Britain. It rarely happens to a subject to produce such evidence of his attachment to the Interest of his Country.

That your Majesty may in all parts of your dominions have subjects, who, with less opportunity, may have the same sincerity and zeal to serve their Country as I have, is the fervent prayer, of your Majesty's

Most true and faithful Subject and Servant

WM. A. BOWLES.

XIV. WM. A. BOWLES TO LORD GRENVILLE.<sup>1</sup>

*My Lord*

I now trouble your Lordship with those points which I mentioned in my letter, as not necessary to be stated in the Address to his Majesty but which are eventually highly deserving, in my judgment the consideration of his Majesty's Ministers. When I go the length of opening my designs to your Lordship, it is not so much upon the confidence, merely of that secrecy which belongs to every person in your Lordship's Station, as from the particular opinion, I have been taught to entertain of Your Lordship's character, and which assures me, I am safe in communicating what other wise should not be known till executed.

Your Lordship knows, that I have applied to the Court of Spain for their acquiescing in our having two ports on the coast of Florida. By the

<sup>1</sup> F. O. America, I.



silence hitherto held on that subject, I believe, the Spanish Government do not mean to accede to my demand. If that is not acceded to, by the time I arrive in Florida, I shall immediately attack the Spanish Forts which are few and weak, and I calculate that in the space of two Months at furthest I shall have driven the Spaniards from the whole country of the Florida's And that of New Orleans And that the lower part of Louisiana and both the Floridas will belong completely to the Creek and Cherrokee Nation.

As this will no doubt bring upon us a descent from the Havannah, I shall immediately upon the Spaniards evacuating, March a strong force across the Mississippi towards Mexico, not only with a view of carrying the war from home, but to avail Myself of the state I know mens minds are in, all over the country

It is not long since I marched seven hundred miles in that country, for the purpose partly of exercising troops, that I had been training in a New Method, and partly to try what influence such a movement might have. This expedition answered both my views. The numberless addresses, I received in writing from all parts, satisfied me that I might have proceeded to the centre of Mexico and had been received as a deliverer. But the affairs of our Nation were not then ripe, according to my judgment for the experiment.

Relying upon these facts, I should as soon as the Floridas, and the lower part of Louisiana were mastered, immediately march at the head of a strong force towards Mexico. If during the progress of this force, I found it likely I should succeed in that country so well as I am led to believe I should, I would proceed without delay to Mexico, and in conjunction with the Natives declare it independent of the Spaniards. In such event I should have no fears about the state of things in the Floridas.

But should it appear to me not so adviseable to proceed to the capital of Mexico, I judge that the alarm created by My force hovering on the borders of it would be such, as to enable me to make my terms for the Floridas; and that in such event, the Spaniards would be content to yield the Floridas to the Creeks and Cherrokees.

I will not mispend your Lordship's time in reasoning upon a subject that is already sufficiently understood. The advantages of a free trade with the Spanish Colonies are well understood in this Country—But I will venture to say the means of attaining it are not so easily seen—I believe, if Britain attains it, she will attain it in some such mode as I now mention and then she will save herself the repedition of such Tragedies as were acted at Porto Bello and Carthagera, And which will ever end, as those attempts did. It was the opinion of Lord Clive, that by the Troops of the Country, only, India was to be conquered and retained. Experience has shewn he was right; and it may be worth consideration, if the Maxim is not as good in America as in Indostin.

I should inform your Lordship that these Speculations would meet with other support than the force of the Creek and Cherrokee Nation. There are now settled in the Cumberland Country, as set of men, who

are the Relicts of the American Army ; These people are weary of their Situation and their inactive life, and are ready for any thing that will put them in Motion.

I have had a request from these people to prevail on the Council to admit them into our Country And to lead them on an expedition to the Spanish settlements, that being the object of adventure now most thought of, in that part of the world. From these people I think I could receive, at least six thousand effective men.

These people are desirous on any terms, of coming to settle amongst us, as well for the objects of peace as those of War. For, at present, they are shut out from the sea. They feel no attachment to the Americans and would be glad to abandon everything for a situation near the Sea in our Country.

In discovering these designs to your Lordship, I mean merely to lay before his Majesty's Ministers the situation, the designs, and wishes, of the Nation, in all openness and sincerity.

To return to the principal point which is the subject of the address to His Majesty and which is one great object of our Embassy—The admission to the free Ports—I do trust this is so reasonable on our part and so advantageous to Great Britain, that it will be conceded in some mode or other. Either by an Act of Parliament, if necessary, or by a direction to the Governor and the Collector of the Customs at Nassau in New Providence and elsewhere, if the interpretation of the statute can be made in our favour, Or in some Mode that may seem best to the Kings Ministers.

If we are successful in this point—The Creek and Cherrokee Nation can work their way in spite of Spaniards and Americans, and May before many years are past, confer on Great Britan in return a line of free trade which she never before enjoyed, nor could attain, in my humble opinion, but by their interposition.

As I am opening my mind with great plainness I will endeavour to make his Majesty's Ministers easy upon another point—It may be there is some awkwardness with regard to the Spanish Court, in our being received here ; Political reasons, or etiquette, be it what it may.

In a few words I came here to serve the Creek and Cherrokee Nation and to serve G. Britain—To attain this end I am content to waive everything, that does not necessarily produce that end—The substance not the circumstance is my aim—If a whisper across the Atlantic can procure our Vessels admission to the free Ports, our purpose, thus far will be as completely answered, as if it was effected by an Act of Parliament, And of the business of the Treaty could be transacted without my presenting the Medal to his Majesty and receiving another from him, I should think myself warranted in disobeying the orders of the Council. Should this mode of transacting it be more agreeable to his Majesty's Ministers—Rather [than] raise the jealousies and suspicions of the Spanish Court I would waive in behalf of the Chiefs and myself any open marks of distinction—I am ready to yield all such points, If I can depart from hence,



with a firm assurance that a good understanding is established with G. Britain, that the treaty now renewed is not the less sincere for being secret, that a correspondence will be kept up, and that our vessels will always be admitted into the free ports of the West Indies, or at least into that part of Nassau.

What I have hitherto urged to your Lordship, has been upon topics purely Commercial and such as appear to me to interest Great Britain, as well as the Nation of Creeks and Cherrokees. There are other considerations with regard the interest of G. Britain alone.

The late peace with the Americans by putting an end to hostilities cannot, I should think have removed all cause of suspicion and jealousy between the two Countries. That it has not on the side of the Americans your Lordship will collect from the following facts.

In the Month of April 1788 a proposal was secretly made to me from the Americans, to join with them to bring about a Treaty of Alliance offensive and defensive, and to lead the Indians on an attack upon the Northern tribes, and the British Posts. This was refused, but a communication like this not being safe, as they thought, in the breast of a person so hostile, as I had on that occasion declared myself, some method was to be devised to get rid of me ; And in the months of August and September following, several attempts were made to cut me off.

I mention this fact of their proposal to me, only amongst many others, that might be produced, to shew, the Americans are now waiting their opportunity to seize the remainder of the British Colonies, and that the first occasion will not be suffered to pass.

I do, therefore in behalf of Great Britain press most seriously upon your Lordship this consideration, Whether with such active enemies in the neighbourhood of the British Colonies, it is not, I will not say wise, But absolutely necessary, for Great Britain to have some Alliance and connection to back her interest in those parts? And who, but the Nation of Creeks and Cherrokees present themselves, as proper for that Alliance? Great Britain can never find that support, she will want, among the Northern Indians, who are reduced in number, sunk in Spirit, and have little resource, but the poor cloathing, and other gratifications they receive from his Majesty's Governors.

And I may venture to say that such a general correspondence is now established between the Indians on the borders of Canada and the Creeks and Cherrokees that even the former, dependent as they may be supposed, will never again be brought to act, with full energy, unless the same cause is maintained by the advice and approbation of the Creeks and Cherrokees. And this general confederacy now formed and gaining daily strength among all the Indian Nations, is a new posture of affairs on that Continent which is not yet known here, but which must be considered in every future speculation formed with regard to Indian politics.

The situation of the Creeks in the two Floridas seems peculiarly to fit them for being useful allies to Great Britain. They are in the neighbourhood of the West India Islands. They have the Americans on one

side and the Spaniards on the other, both Enemies to the Interest of Great Britain, that at present, nominally in peace with her. Upon a quarrel with either power who can be so useful as the Creeks? If the British Colonies are to be defended, who are so able to make a diversion as the Creeks, offensive or defensive,—they seem to be pointed out, by inspection of the Maps merely, as the Nation that Great Britain should cultivate.

In pressing this on your Lordship I speak the language of an Indifferent Spectator, or rather one biassed towards this Country. It has been the misfortune of this Country to be less knowing in her transactions with America, than in the rest of her politics. I trust she will not suffer the last card she has left to be played as the great game was

But to save that she must purchase friends, and that soon, or she will have again to fight for her colonies without an allie to support her; I speak tenderly when I say without an Allie, for suppose the present address of the Creek Nation should not be thought worthy of notice, and being thus rejected they should be left to adjust their affairs in the best Manner their domestic Interest suggests, suppose they should deem it wise to unite with their old enemies the Americans;

I can tell your Lordship what will be the first object of such new formed Alliance. It will be an attack upon the British posts in which they will I believe be joined by all the Northern Nations, if they adhere to the Union now subsisting among the Indian Nations.

What will then happen to Canada, and to the other possessions of G. Britain, your Lordship may well conjecture.—Such events may take place before many months are passed, should the wish of the Nation be disappointed in their present address to his Majesty, and it will be utterly out of my power, with all the attention they have hitherto shewn to my advice, to influence their Counsels on this subject. Then may be led when either their inclinations or their Interests are to be gratified, but when both are opposed, they will take some course, where one or the other leads them.

It will be my misfortune to view the effects of the storm I can no longer govern and I shall at last behold that catastrophe which I have employed so much labor in various stations to prevent or retard.

It is painful to me and perhaps ungracious to entertain your Lordship with such disastrous speculations but I meant to deal honestly and openly with his Majesty's Government and I thought myself bound to conceal no danger that could be guarded against if known, one main and only guard is now offered, and I promise myself the good fortune of this Country will suggest the wisdom the seize it.

Should it be thought proper by His Majesty's Ministers to add the former object of treaty which is wholly Commercial, this also, which is political and leads to the business of War, I shall then be obliged to call upon Government for Assistance in providing Arms and Military Stores, those being Articles which must for the present be supplied from this Country these may easily be supplied without the Government appearing

to have any share in the transaction. They are articles of Commerce, which I can obtain from any Merchant in London to be shipped for the port of Nassau. From which place they can be easily conveyed into the Creek Nation.

After detaining your Lordship so long, I will add only one word more, which is that I do rely on your Lordship's particular judgment and character for our business meeting with a due, and deliberate consideration. I have the honor to be

My Lord, Your Lordship's

Most obedient and very humble Servant,

WM. A. BOWLES.<sup>1</sup>

ADELPHI Jany. 13, 1791

The Right Honorable Lord Grenville.

XV. WM. A. BOWLES TO LORD GRENVILLE.<sup>2</sup>

*My Lord*

Having communicated to your Lordship the letter I had written to El Conde de Florida Blanca respecting the demand of free ports I think it proper to submit to your Lordship the enclosed letter which is the first overture I make towards reviving that subject.

Your Lordship will, I hope perfectly understand that I make this communication with no view of entangling the Kings Ministers in any transactions between the Creek Nation and the Spanish Court. But that his Majesty's Ministers may know what I am doing in a matter, where Great Britain may be remotely concerned.

If your Lordship does not think this troublesome I shall continue to transmit what follows from it, between me and the Spanish Ambassador.

Your Lordship will have the goodness to send me back the letter

I have the Honor to be

My Lord, Your Lordships

Most obedient and very humble Servant

ADELPHI

WM. A. BOWLES

Jany. 25, 1791

Right Honorable Lord Grenville

<sup>1</sup> In the *Report on Canadian Archives*, 1890, p. xlii, Mr. Brymner notes that in the State Papers (Q. 45-2 p. 535 and onwards) is a correspondence respecting the mission of Bowles and his party of Cherokees on their arrival at Quebec from the Bahamas. "The sum of Lord Dorchester's letter to Mr. Grenville respecting the deputation which His Lordship had tried in vain to dissuade from going to London is in the last paragraphs of the letter." Lord Dorchester says: "Their resentment against the States, arising from injudicious encroachments upon their territory, might be appeased by ensuring them a more liberal treatment under the King's protection." On March 7, 1791, Lord Grenville wrote to Lord Dorchester, reporting their arrival and stating the reception they met with in the following terms: "Such of their requests as related to views of hostility against the United States have met with no kind of encouragement, but they will in some degree be gratified in their wish of intercourse with the British Dominions by an admission to the free posts [ports] in His Majesty's West Indian Islands, supposing that they should find themselves in a situation to avail themselves of this indulgence."

<sup>2</sup> F. O. America I.



XVI. WM. A. BOWLES TO THE SPANISH AMBASSADOR AT LONDON.<sup>1</sup>

ADELPHI Jany. 26th 1791

*Sir*

I had the honor of inclosing to your Excellency in a letter from New Providence in the Bahama Islands A letter addressed to El Conde de Florida Blanca upon some subjects that concern the Nation of Creek and Cherrokee Indians. I requested him to favour me with an answer thereto, through your Excellency, trusting that I should, on my arrival here meet with some answer.

The object of my coming to this Country is not likely to keep me a great length of time here. And it is very material not only to the Affairs of our Nation but to the interest of his Catholic Majesty in those parts that I should receive some answer to that letter before I leave this Country.

I now trouble your Excellency to know whether you have received from El Conde de Florida Blanca any thing which is intended to be communicated to me. And I shall be ready to receive it in writing whenever your Excellency pleases.

I shall also be ready to confer with your Excellency if you should think it necessary.

I have the honor to be yours

Most obedient Servant

WM. A. BOWLES

His Catholick Majesty's Ambassador at London

XVII. GEO. BECKWITH TO [LORD DORCHESTER?] <sup>2</sup>

PHILADELPHIA 2nd December 1791

*My Lord*

I did not intend to write to your Lordship by the present Conveyance had not the following circumstance which respects a man with whose character you are well acquainted taken place upon the Georgia frontier.

The field officer commanding the few companies or regular troops dispersed along the Southern confines has within a few days past written to Government that the Commissioners employed in running the boundary with Georgia under the Creek treaty of 1790 have been interrupted in their progress and compelled to withdraw by the Lower Creeks at the instigation of a Mr. Bowles who styles himself a General and declares that he is agent or superintendent General to those tribes from Great Britain; the officer also informs that Mr. Bowles has been recently in England, that he touched at the Bahamas on his return to America and that he has brought very valuable presents to these Indians to the amount "as he states" of fifty thousand pounds sterling, that he has declared to those tribes his being authorized to promise them the reestablishment of their old boundary with Georgia which is more advantageous to them than that fixed by the treaty of New York in 1790, and, that he has

<sup>1</sup> Enclosed in above.

<sup>2</sup> F. O. America K.

solicited their having recourse to Arms to effect this, promising them an English reinforcement in the Spring, to which the Indians replied, that prior to their commencing hostilities they would wait the arrival of these succours. General Macgillivray who is usually in the Upper Creek Country has written to those tribes and warning them of their danger in listening to Bowles's insinuations and threatening if they do that he will abandon them to their fate. Such is the outline of the information on this subject which has been laid before the Senate and which of course I immediately communicated to the King's Minister.

I have some reason to think that Mr. Edward Rutledge of South Carolina is the person intended to be sent to London as Minister Plenipotentiary but I mention this as a matter of uncertainty. I have also the same grounds to believe that it is the wish of this Government to draw the Chiefs of the hostile Indians to Philadelphia as soon as they can open an Intercourse with them and to make treaty with them here. I have mentioned my ideas on these subjects to Mr. Hammond.<sup>1</sup>

I have the honor to be with great respect

Your Lordships

Most obedient and very faithful Servant

GEO. BECKWITH.

<sup>1</sup> The English minister to the United States.

## REVIEWS OF BOOKS

*La Evolucion de la Historia.* Por VALENTIN LETELIER. (Santiago de Chile: Alberto Poblete Garin; Madrid: Victoriano Suarez. 1900. Two vols., pp. 354; 545.)

In the year 1886, the Council of Public Instruction of Chile offered a gold medal for a prize for the best paper upon the subject "Why is History continually remade? Conditions which the modern Spirit exacts in historical work." The paper of the author of this work was regarded as the best of the ten papers presented and the prize was awarded to him. To this is due the idea of the present work, which is however greatly expanded from the original publication. In place of a pamphlet of sixty-seven pages, the present work is ten or twelve times as large, consisting of two volumes, divided into three books and eleven long chapters.

In order to trace a definite theory of the historic art, it is necessary to examine what are the causes of this continual remaking of history, and with this object in view the author first considers tradition, which in primitive societies must be regarded as history itself. Tradition, if it does not preserve a record of events with as much exactness as history, reflects popular ideas, beliefs, prejudices and feelings, and reproduces the impressions caused by events. The vitality and development of traditions are due to the fact that each generation gives them a meaning and scope in harmony with the popular sentiments and aspirations. Traditions which have preserved from prehistoric times the ideas, notions, and impressions which make up and form popular beliefs are classified as myths. These are distinguished by one common quality, divine intervention in human events. Myths should in turn be divided into allegoric myths and symbolic myths. The former simply describe phenomena with no attempt at explanation, while the symbolic myth always involves a more or less puerile and imaginary explanation of a truth. There is also another class of myths which really record events, although they reach us distorted and obscured by the intermixture of fable. These are historic myths, which after all are nothing more than spontaneous alteration which traditional history suffers in primitive peoples. The supernatural, which distinguishes all myths, and which appears incompatible with the historic origin attributed to a part of them, is the last phase of development suffered by traditions under the influence of popular imagination. As long as a tradition does not acquire a mythical character, its development is normal and it may be easily extinguished through lack of interest, but as soon as a tradition is converted into myth it develops freely without regard to the laws of nature. The vitality of the tradition

is strengthened by the religious sentiment which has taken it under its protection. In verifying the rules which are to be observed for the interpretation of myths, and for the appreciation of their historic value, the author examines the classes represented by Max Müller on the one hand and Andrew Lang upon the other and arrives at the conclusion that there is no real opposition between the two.

The author then turns his attention to the discussion of the legend, the word being used in the same sense of a written narrative of events that are supposed to have taken place in historic time and the record of which has been preserved by means of tradition. The peculiar quality of the legend, a quality which distinguishes it from annals and from history, is the written reproduction of oral reports without any discussion or investigation. Those legends are apocryphal which do not belong to the authors under whose name they are known; those are false which have been invented by the authors who have written them.

In examining, as he does very fully, the different classes of legend, it is significant that Professor Letelier, a professor in the leading university of a country of rigid catholicism, uses both the Old Testament and the New Testament. To the former he gives the name of "Biblical legends" and to the latter "Evangelical legends." He lays down as an absolute rule of historical investigation that no prejudice can be felt in favor of the sacred books of any particular religion, and he places on precisely the same plane the Koran, the Vedas and the Scriptures.

Having examined the origin and development of traditional history under the forms of myths and legends, the two forms which it successively adopts, the author now proceeds to the examination of annals or chronicles. These he describes as written narrations made according to chronological order by contemporary witnesses and entirely regardless of the social causes which produce the events reported. Annals, however, mark two distinct advances in the evolution of history; the introduction of chronology by the establishment of a particular era and the introduction of the study of geography resulting from the necessity of fixing definitely the places in which the events occurred. The chronicler always disregards social phenomena. And from this there result two vicious tendencies; the first is to disregard the social causes of historical events and to look only at the personal agency, or in other words, to concentrate in the hands of a few prominent men the actions produced by society as a whole, and the second is to pass over those events in which historical personages have taken no direct part. The chronicle is an incomplete history which makes no explanation of events when they are produced independently of notable persons and which never arrives at general conclusions.

Traditions, myths, legends and annals thus represent different stages in the evolution of history, and after an elaborate examination of the historical value of each, the author concludes that none of them has a right to the credit which was originally given them. The historian of the present day is completely justified in his efforts to secure better evidence for correcting and compiling our knowledge of the past.



The author then divides into two classes, called respectively real evidence and virtual evidence, the sources to which the modern historian turns as a result of the evolution of history. Real testimony consists of historical documents made up of inscriptions, coins, of ancient handwriting and of hieroglyphics. Under virtual testimony he discusses archæology, ethnography, folk-lore, literature, which is not intended to be historical, and language.

Having therefore completed in the first and second books of his work an examination of all the sources of history and of the advantages and defects of each, the author begins by considering in the third book whether it is really possible to establish history as a science, and arrives at the conclusion that the result of the evolution which he has attempted to describe is that history may be regarded as a science, that there are not lacking methods of inquiry to arrive at the exact knowledge of many events and of many generations of the life of civilized nations. There is no rule which requires investigators to give absolute credit to any contemporary witnesses, nor which authorizes them to study historic facts with any less attention than should be given to investigation of physical phenomena. The historian has realized that to complete the knowledge of the past it is indispensable to embrace within the elements of its jurisdiction the study of social elements, and this has resulted in the incorporation into history of all those facts which serve to determine the study of the arts, of industry, of science, of religion, and of customs in past generations. And here history touches upon the confines of sociology. They meet upon the same ground but should never be confounded. Just as astronomic, physical, and biological events which are registered in history are no different from those examined by astronomy, physics, and biology, thus the same social facts are at the same time the object of historical and sociological investigations. There is one point of difference between them. History relates them as events, or, at the most, defines the social conditions in which they are produced, while sociology examines them as general phenomena. In relating such social facts, history need no more conflict with sociology than it does conflict with astronomy by reporting eclipses. When such facts are of specific character they may be regarded simply as events; when of a generic character they may be properly called social phenomena. Sociology studies industry, science, institutions, beliefs and all the social elements by excluding, absolutely, the intervention of man, and by regarding them as matters subject to the organic law of development. History is a concrete science, a science of particular facts, while sociology, on the contrary, is a general science, a science which by means of induction converts specific into general facts. With this comparison of history and sociology, a comparison made with great detail, the author closes the work of which the barest outline can be given here.

EDWARD H. STROBEL.



*Studies in History and Jurisprudence.* By JAMES BRYCE, D.C.L.  
(New York : Oxford University Press, American Branch. 1901.  
Pp. 926.)

WHILE yet a student at Oxford, Mr. Bryce became an authority on certain phases of European history. *The Holy Roman Empire* was published in 1864. From 1870 to 1892 the author held the Regius Professorship of Civil Law at Oxford. He was a member of Gladstone's Cabinet of 1892, and has always been a careful student of law and history and political institutions.

This latest publication of Mr. Bryce comprises eighteen essays and lectures. Though written at different times, they have nearly all been revised or rewritten for publication. Only two of them have been previously published. Many were first given as lectures to Oxford students. A wide range of topics is here treated. The English and the Roman empires are compared. English law and Roman law are compared from the standpoint of their effects upon the present evolution of history throughout the world, and from the standpoint of their origin, nature and development. Several chapters are devoted to the study of constitutions, Roman, English, American, South African and Australian. In one chapter we are introduced to the unique institutions of Iceland. In another, entitled "Obedience," we are treated to some fresh observations on the philosophic basis of the state. That on "The Nature of Sovereignty" is an illuminating discussion of an old topic.

The work abounds in broad generalizations based upon a wide range of political observations. Our author shows us that we are not so very far removed from the old Greco-Roman world. There are peculiar phenomena manifest at the beginning of the twentieth century which bring us very near to that ancient life. Alexander carried something of Grecian influence far into Asia. Later the Romans undertook the Herculean task of unifying and Romanizing the whole of Alexander's empire, as well as the rest of northern Africa and southern Europe. Later still, the Christian Church appeared aiming at universal dominion and tending still farther to draw the nations together. The distinct aim was universal dominion with one religion and one system of justice. When Rome fell, Grecian art and philosophy, Roman law and the Christian religion still survived to become in our own day agencies for the unifying of all the races of all lands. "Europe—that is to say the five or six races which we call the European branch of mankind—has annexed the rest of the earth, extinguishing some races, absorbing others, ruling others as subjects and spreading over their native customs and beliefs a layer of European ideas which will sink deeper and deeper till the old native life dies out." In a measurable time, the author concludes, European science, forms of thought and ways of life will prevail in every land with the possible exception of China; and even China is not likely to resist for many generations, at least not for many centuries. It is to throw light upon this great modern phenomenon of the European-

izing of mankind that Mr. Bryce compares the English occupation of India with the unifying policies of the Roman Empire. Chiefly through law and its notions of government has Rome influenced civilization. In this way Rome has influenced England and has hence a share in the Europeanizing of India. Much of Russian law is Roman in its origin, and through Russia Rome is assimilating other Asiatic peoples.

But England has also developed a distinct and independent system of law, and now the two systems of law, English and Roman, are competing for the leading place in the unification of mankind. At present Roman, or civil law, prevails over wider areas and has more numerous subjects, but English law is being diffused more rapidly over the globe. Mr. Bryce discusses the question of the probable triumph of one or the other of these two legal systems, but he himself inclines to the opinion that elements of each will survive in a unified system of law for the world.

English law differs radically from Roman law in the emphasis given to the rights of the individual. Roman law originated at a time when there was no general and distinct realization of individual rights and privileges. The individual was lost in the mass. By a peculiar concurrence of peoples and events in England the various classes early began to associate definite conscious rights and privileges under the name of law. Common law was but a formulation of customs to which the people were attached. Laws set by Councils or Parliaments were the formulation of rules granting or restoring to the people their cherished rights or privileges, or they were viewed as acts of tyranny to be resented and overthrown. Lawmaking was recognized as a distinct business of infinite importance to the people.

In Rome, on the other hand, law grew up, for the most part, as incident to the magisterial and administrative functions of government. The Roman assembly, with whom according to modern theory sovereign power rested, invested the Emperors with various magisterial offices of government; yet neither the Emperor nor any other officer was endowed with a distinct function of lawmaking. The law grew out of the practice of administering justice. The codes issued by Emperors represent the accomplished facts of administrative and magisterial conduct. In theory both Roman and English law are derived from the people. "St. Thomas Aquinas," says Mr. Bryce, "recognized sovereignty as vested in the people hardly less explicitly than does the Declaration of Independence." But there is a world-wide difference between the meaning to be attached to the words of St. Thomas in the thirteenth century and the language of the Declaration in the eighteenth. In the one case "the people" means a self-conscious body politic with power to deliberate and choose, and initiate and control. In the other case "the people" stood for a traditional method of accounting for a logical difficulty. St. Thomas was ready to surmount this obstacle by saying that "the people" were the source of law and authority or by saying that God was the source of law and authority. In either case the form of words was a mere device



for solving a logical difficulty. But the makers of the Declaration of Independence were stating a fact and not merely dealing in logic.

The volume fitly closes with Mr. Bryce's Inaugural Address as Regius Professor of Civil Law at Oxford in 1870 and his Valedictory upon the resignation of the office in 1893. In his inaugural, Mr. Bryce prophesies various practical advantages from the study of civil law which in his valedictory he frankly confesses have not been fulfilled. But any one who reads these essays will perceive that the study has other uses which the ardent youth of thirty years of age had not fully realized. With all his knowledge of law Mr. Bryce has remained an historian. And more than any other writer of our day he has shown how law may be used to illuminate history.

JESSE MACY.

*Imperium et Libertas.* A Study in History and Politics. By BERNARD HOLLAND. (London: Edward Arnold. 1901. Pp. 379.)

A FEELING has been gaining ground in England of late years that the future of the country as one of the great powers of the world depends upon maintaining the empire across the sea, and especially that part of it which consists of self-governing colonies. In sharp contrast with opinions current fifty years ago, Englishmen to-day believe not only that the connection with those colonies will be permanent, but that it ought to become closer and stronger as time goes on. They feel that the problem of consolidating the empire is one which must be seriously considered in the immediate future; and this, with the conviction that the American Revolution was a misfortune due to a mistaken policy, has produced much study of the course of British colonization in the past. Mr. Holland's book, which has resulted from such a train of thought, contains a survey of some important phases in the history of the British possessions, together with an examination of the present and future relations to the mother country of the self governing colonies. The work is the more interesting because the author is sensible of many of the difficulties of the problem, and makes no attempt to minimize them or explain them away.

The main body of the book is divided into four parts. The first of these deals with the American Revolution, and presents, not a history of that struggle, but a history of the political ideas on the relations between the mother country and the colonies which preceded and accompanied that struggle. The author shows how general was the feeling in England that the colonies "must be dependent in all points upon the Mother Country, or else not belong to it at all," and how this antithesis led to irreconcilable claims which resulted finally in the independence of the United States. He points out that this came about without any pre-existing desire for separation on the part of the colonies. He discusses the prevalent distinction between the regulation of commerce and taxation for revenue, and quotes statements of Grenville, Burke, Jefferson, Franklin, and many others, on the true constitutional position of the British Parliament and the colonial legislatures. His conclusion of the matter is contained in the following paragraph (p. 88):

"In short the whole problem of the relation of a colony to the Mother Country, in such a way as to reconcile the theoretic claim of the Imperial Parliament to supremacy with the practical autonomy of the colonies, which has since then been slowly worked out, was presented for immediate solution to a generation insufficiently equipped by experience or reflection to solve it."

The second part of the book treats of Canada, and traces its history from the time of the conquest—dealing, of course, at some length with Lord Durham's famous report, and the ultimate fulfilment of his recommendations for government by a responsible ministry in the days of his son-in-law, Lord Elgin. This story is well and interestingly told, and is an excellent summary of the history of the growth of self-government in Canada. It ends with a chapter on the creation of the Dominion by the British North American Act of 1867; and we may note here that the texts both of this Act and of the new Commonwealth of Australia Act of 1900, with which some comparisons are made, are printed in full in appendices to the book.

Part the third deals with the history of the union with Ireland, and the question of Home Rule; and in it the author dwells upon the objections to Mr. Gladstone's two measures arising from the fact they retained in the imperial Parliament the control of the English and Scotch affairs, so that the Irish were either to have no representation in that Parliament, or else were to have a voice in the domestic policy of the other two kingdoms. In short, his objection to the measures rests on the ground that they would have given an exceptional position to Ireland without establishing a true confederation; and he quotes leading opponents of Home Rule in favor of a real federal system. He urges as the true solution of the problem a system in which England, Scotland, Ireland, and possibly Wales, should bear the same relation to a central authority that the provinces in Canada do to the Dominion.

The fourth and last part of the book is devoted to the present problem of the Empire. The author recognizes that the existing condition is unsatisfactory. "That the present system" he says (p. 273) "has hitherto worked well is due partly to the fact that the colonies are only of late coming of age, and partly to the fact that, since the Crimea, England has engaged in no war with a Great Power, nor with a great rival since Trafalgar, and that foreign policy has run tolerably smoothly." At the same time, he perceives the obstacles, economic and financial, that stand in the way of any change. He sees that the colonies want discriminating duties in their favor which it is difficult for England to grant; and that, on the other hand, they contribute very little to the military defence of the Empire, which they must do if they are to be admitted to real partnership. He sees also the political difficulties in the way of a closer union, for he shows the futility of proposing to give the colonies representatives in the existing Parliament of the United Kingdom, and adds that a federal Parliament for the whole Empire will for a long time, at least, remain impossible. The solution he offers is that of Mr.

Chamberlain, a council of delegates plenipotentiary from the different parts of the Empire. Such a council, according to Mr. Holland, would resemble the German *Bundesrath*; but it would probably be more nearly akin to the Diet of the old Germanic Confederation than the Federal Council of the present Empire. In fact, an organization so constituted would necessarily be very loose.

Like almost all writers on the subject, Mr. Holland does not appear to be sufficiently alive to two factors in the problem. One is, that as in the case of most other recent confederations, considerable sacrifices, real or apparent, will be necessary on the part of the members of the Empire if any true federal government is to be attained. The other is, that the United Kingdom and the English-speaking colonies are not the whole, they are in fact a small part, of the Empire; and it cannot be assumed that the position of the rest will settle itself. In the "General Observations" with which the book opens, Mr. Holland remarks (p. 14): "In the British Empire, apart from India, we have learned by a most costly experience, to concede to the colonies the fullest liberty consistent with the maintenance of the common tie." But this is in fact true only of a small part of the colonies. Leaving out not only India, but all those colonies adjacent to India, such as Ceylon and the Federated Malay states, the vast proportion of the people of the English dependencies have not self-government. The population of the West Indies, Egypt, and the English possessions in tropical Africa, far outnumber that of Canada, Australia and the Cape; and it is by no means clear that the placing upon a satisfactory footing of the relations between England and the colonies with a responsible government, difficult as that is, would solve the problem of the British Empire.

A. L. LOWELL.

*Oxford Studies.* By JOHN RICHARD GREEN. Edited by Mrs. J. R. GREEN, and Miss K. NORGATE. (London: Macmillan and Co.; New York: The Macmillan Co. 1901. Pp. xxxii, 302.)

ONLY the first of these papers can be regarded as strictly historical. The rest are collections of the anecdotes and gossip of Oxford in the eighteenth century which was the nadir of academic decadence or of the social and economical peculiarities of the period. The first paper deals with the infancy of the medieval city, a subject on which Mr. Green's authority is first rate. Perhaps it is his antiquarian bias that makes him rather espouse the cause of the city against the university. He seems to think that the university stunted the growth of the city, stifled its municipal liberties, and prevented it from becoming a commercial center. What should have made Oxford a commercial center? Its district is purely agricultural. It is on the Thames; but so are other towns in the district, such as Abingdon and Wallingford, which nevertheless have not become commercial centers. What but the university in fact has been the making of Oxford? The boarding of so many students must surely have been a considerable article of commerce. That municipal authority should have to yield something to the exigencies of academical discipline

seems no great evil. In the eighteenth century the city council of Oxford topped the height of parliamentary corruption by openly putting its representation up for sale.

The Norman Conquest in Mr. Green's opinion brought with it a sudden outburst of industrial effort, a sudden expansion of commerce, and accumulation of wealth. The blessing came to Oxford in disguise, for, as Mr. Green says in his history, the number of houses marked "waste" in the survey marks the terrible suffering of Oxford in the Norman Conquest.

The most curious part of Mr. Green's picture of the ancient city is the description of the Jewry, which will serve, if it is still necessary, to correct common ideas of the position and attitude of the medieval Jew.

"The most characteristic result of the Conquest was planted in the very heart of the town in the settlement of the Jew. Here as elsewhere the Jewry was a town within a town, with its own language, its own religion and law, its peculiar commerce, its peculiar dress. The policy of our foreign Kings secured each Hebrew settlement from the common taxation, the common justice, the common obligations of Englishmen. No city bailiff could penetrate into the square of little streets which lay behind the present Town-hall; the Church itself was powerless against the synagogue that rose in haughty rivalry beside the cloister of St. Frideswide. The picture which Scott has given us in *Ivanhoe* of Isaac of York, timid, silent, crouching under oppression, accurately as it represents our modern notions of the position of his race during the Middle Ages, is far from being borne out by historical fact. In England at least the attitude of the Jew is almost to the end an attitude of proud and even insolent defiance. His extortion was sheltered from the common law. His bonds were kept under the royal seal. A royal commission visited with heavy penalties any outbreak of violence against these 'chattels' of the king. The thunders of the Church broke vainly on the yellow gaberdine of the Jew. In a well-known story of Eadmer's, the Red King actually forbids the conversion of a Jew to the Christian faith: it was a poor exchange which would have robbed him of a valuable property and given him only a subject.

"At Oxford the attitude of the Jewry towards the national religion showed a marked consciousness of this royal protection. Prior Philip of St. Frideswide complains bitterly of a certain Hebrew with the odd name of 'Deus-cum-crescat,' who stood at his door as the procession of the saint passed by, mocking at the miracles wrought at her shrine. Halting and then walking firmly on his feet, showing his hands clenched as if with palsy and then flinging open his fingers, the mocking Jew claimed gifts and oblations from the crowd who flocked to St. Frideswide's on the ground that such recoveries of limb and strength were quite as real as any Frideswide had wrought. But though sickness and death, in the prior's story, avenge the insult of his shrine, no earthly power, ecclesiastical or civil, seems to have ventured to meddle with 'Deus-cum-crescat'. The feud between the priory and the Jewry went on unchecked for a century more, to culminate in a daring act of fanaticism on the Ascension day of 1262. As the usual procession of scholars and citizens returned from St. Frideswide, a Jew suddenly burst from the group of his comrades in front of the synagogue, and snatching the crucifix from its bearer trod it under foot. But even in presence of such an outrage as



this the terror of the Crown shielded the Jewry from any outburst of popular indignation. The sentence of the King condemned the Jews of Oxford to erect a cross of marble on the spot where the crime was committed; but even this was remitted in part, and a less offensive place was allotted for the cross in an open plot by Merton College."

Mr. Green is not alone in ascribing the great ecclesiastical buildings as well as the great castles to the money bags of the Jewish capitalist. It may have been so, but has any distinct proof been produced? In the Chronicle of Jocelyn de Brakelond we have a monastery borrowing of a Jew, as is known to the readers of *Past and Present*. But the Jews were banished from England by Edward I. in 1290; with which date the outlay on the building and extension of ecclesiastical edifices certainly did not cease. The date of the building of Salisbury Cathedral is 1220 to 1258, within the Jewish period; but, if Murray's *Handbook to the Cathedrals* is to be trusted, we know whence the money came. The sum (40,000 marks) was raised by contributions from the prebendaries themselves; by collections from different dioceses, to each of which a prebendary of Salisbury was sent; and by liberal grants from various benefactors, such as Alicia de Bruere, who gave all the stone necessary for the work during twelve years. The general influence of Jewish capital is not doubtful. But in the case of ecclesiastical buildings the Church had in popular faith a great bank on which to draw.

At the origin of the university Mr. Green barely glances. In fact almost nothing can be known. The millenary of Alfred has called attention to his legendary character as founder. Popular fancy ascribes great institutions to great men. It ascribed to Alfred trial by jury, and the division of the shires. But it was the legend that caused the interpolation in Asser's Chronicle, not the interpolation in Asser's Chronicle that gave birth to the legend. Nor is there any real ground for suspecting of fabrication so respectable an antiquary as Camden.

GOLDWIN SMITH.

*Essays in Historical Criticism.* By EDWARD GAYLORD BOURNE. [Yale Bicentennial Publications.] (New York: Charles Scribner's Sons. 1901. Pp. xii, 304.)

NOT infrequently busy professors, who cannot find time for large compositions yet cannot be content to permit all their work to remain in an ephemeral form, rescue their articles from journals and make of them a book. Such books are likely to be distinctly miscellaneous, and Professor Bourne's is no exception to the rule. Yet there is a certain unity. The title well expresses it, and characterizes the writer, for in all his historical writing thus far published Mr. Bourne has revealed himself chiefly as a keen and accomplished historical critic.

But the phrase "historical criticism" has in current use more than one meaning. The professional student ordinarily uses it as meaning the critical discussion or dissection of the original sources or materials of history. Five of the essays in this volume are of this variety: the long dis-

cussion of "The Legend of Marcus Whitman" which occupies more than a third of the volume; two shorter essays on the vexed question of the authorship of certain numbers of the *Federalist*; and others, still more brief, on Madison's studies in the history of Federal government and on a passage in Seneca which has long been misinterpreted into a hint of the possibility of a westward voyage to the Indies. It is in historical criticism in this sense that Mr. Bourne, to the mind of the present reviewer, shows himself most acute and skilful. He has also a most remarkable gift of *Heuristik*. It is a modest and elusive book or bit of evidence that can escape his drag-net whence once he has roused himself to the task of sifting a historical statement to the bottom.

Another sense in which an article may be called an essay in historical criticism is that of an historical narrative based on such careful critical work as that to which we have adverted. Three examples of this sort stand in the book before us: a capital study of Prince Henry the Navigator, especially endeavoring to define his aims and methods; a thorough discussion of the demarcation line of Pope Alexander VI. and of the other definitions of boundary between the colonial possessions of Spain and those of Portugal; and the highly important and instructive paper on the "Proposed Absorption of Mexico in 1847-1848" which was printed in the fifth volume of this REVIEW. Critical estimates of historians may perhaps, though certainly in a less usual sense of the phrase, be called essays in historical criticism. Of these there are three. The best is an essay on Ranke, the careful and appreciative address which Mr. Bourne read before the American Historical Association in 1895. Those on Parkman and Froude are well written, but much slighter. The essay on Ranke's relations to the beginning of the seminary method in teaching history contains some repetition of matter already presented in that on Ranke, but it is in itself an excellent contribution.

Recurring to those parts of this handsome volume which consist of historical criticism in the stricter, or at any rate in the more technical sense, the reviewer feels obliged to say that to his mind Mr. Bourne's arguments respecting Madison's authorship of several of the disputed numbers of the *Federalist*, arguments from internal evidence, first published in this journal, seem practically conclusive. Those relating to the other numbers are almost as cogent, if indeed we may not say that all stand or fall together.

The *pièce de résistance* of the volume is the Whitman essay. Its criticisms of that famous legend have been developed much beyond the form in which they were originally published; and a much fuller history of the process by which it was disseminated is now presented. One cannot fail to admire the gifts of search which have enabled the writer to bring to bear upon his problem, with telling effect, bits of evidence from sources the most diverse. In some cases one feels that the cogency of the evidence is a little overestimated. But on the whole, in the judgment of the present reviewer, Mr. Bourne has abundantly proved his main contention. The Whitman legend is fatally damaged, so far as any



use of it by trained historical students is concerned. It cannot be upheld without ignoring the inferiority of long-subsequent recollections to contemporary documents as sources of history, an inferiority which the lay mind perpetually underestimates, but which the expert knows, by many striking instances, to be enormous. But the passionate revilings to which we have seen the accomplished critic subjected in many newspapers make it plain that the legend will die hard.

J. FRANKLIN JAMESON.

*A History of Political Theories, Ancient and Mediæval.* By WILLIAM ARCHIBALD DUNNING, Ph.D. (New York: The Macmillan Co. 1902. Pp. xxv, 360.)

It is rather remarkable that the historians of America should have shown themselves so apathetic in tracing the origin and history of those theories of the state which found a brief expression in the Declaration of Independence. In his *Essays on Government* Professor Lowell does not go back of Hooker, and until the appearance of the present work there was no good treatise in English on the political theories of ancient and mediæval times. Professor Dunning begins his book with Homer and concludes it with Machiavelli, limiting his considerations to Aryan peoples. Even within these limits he does not pretend to make the work an exhaustive treatise of the theories of all writers on the state, but selects those theorists who best represent the characteristics of political thought in the periods which he considers.

The author further limits the scope of his work by omitting all questions of ethics in relation to politics, and by confining himself to a consideration of "political theory in its relation to political fact". In accordance with such limitation we find each period of the work prefaced by an account of the political events and conditions of the times preceding and during the lives of the various theorists under consideration. The extremes of Athenian democracy are shown to have turned Plato to Spartan ideals, as the failure of the latter influenced Aristotle to favor democracy; while the city-state as the unit of government of the times formed the political horizon of both men. The interest of the Romans in the practical art of government blinded the learned among them to considerations of theory, and Polybius and Cicero did scarcely more than reproduce and develop Greek ideas. The Stoic philosophy and Christianity emphasized the ideas of equality and the brotherhood of man at a time when a way was being made for the establishment of the Roman papacy and the Holy Roman Empire. The later conflicts between these two forces of mediæval life determined the course which political speculation should take until the times of Machiavelli. This man, having in mind the fight for nationalities and the maintenance of one state against another rather than the struggles for supremacy between the ecclesiastical and temporal powers, was the first to abandon the threadbare theories of the papal and imperial protagonists, and the first to make a study of the



actual conditions in a state in order to prescribe rules for the preservation and expansion of its power.

Within the limits set, Professor Dunning's work is unimpeachable, but fault may be found with the limits. Protagoras, the first to expound the social compact theory of the origin of the state, is entirely overlooked. It is to be regretted that the author has not overridden the tradition which gives such a prominent place to Plato in works on political theory. With the most liberal interpretation of the word theory it is difficult to see how his writings can be classed with works other than those on utopias. Along the same line of definition of terms Aristotle's interesting economic ideas of barter, money, etc. (p. 60 ff.) scarcely command consideration in a work on political theory. Unoriginal as Cicero is accused of being, his ideas show an advance over those of his Greek predecessors, and he certainly deserves more than the scant treatment which Professor Dunning gives him.

In that portion of the work which deals with the early conflict of the papal and imperial powers, the author, in his efforts to bring forcibly before the reader the most characteristic theories used by one side or the other to prove its superiority, omits mention of other important theories of the time, especially those about the origin of the state. Unhistorical as the doctrine of the social compact is, it certainly deserves more consideration than Professor Dunning gives it, both for its influence on history and for the theories which grew out of it. The definite expression of it in St. Augustine's *Confessions*, a work which Professor Dunning does not consider, gave to the papal party a weapon of the greatest utilitarian importance. It was obvious that if the state were so mundane in its origin, the divine power of the Pope was certainly superior to that of the Emperor.

In discussing Aquinas's ideas of tyrannicide (p. 200), the author, in showing that St. Thomas did not believe that tyrants should be killed by private individuals, fails to bring out that he did think that they could be justly overthrown by the community. Again, in connection with Cusanus's happy phrasing of the necessity of the consent of the governed to the making of laws (pp. 273-274), it is too strong to say that he was the first to bring this principle into politics proper. Rather, he was the first to derive such a principle from the theory that all men in a state of nature are equal.

The excellent appreciation of Machiavelli does not belong in a work on political theory any more than does a treatise on the ideal social and political reconstructions of Plato. Dr. Dunning acknowledges that Machiavelli has to do with *Politik* rather than with *Staatslehre* and still he gives him a place in his book, in deference no doubt to the tradition which has always given him consideration in works on political theory. It is time he was dropped from such, for his studies in practical politics have little to do with theories of the state. Bodin then, rather than Machiavelli, should stand at the threshold of the political theory of modern times.

At the end of each chapter select references are placed for the benefit of those who wish to find the theories treated in more detail, and at the end of the book is a bibliography of texts and of historical and descriptive works concerning political theory. Bibliographical works such as those of Engelmann and Potthast are not given. Figgis's *The Theory of the Divine Right of Kings*, Scaduto, *Stato e Chiesa negli Scritti Politici* and Littlejohn, *The Political Theory of the Schoolmen* and Grotius might have been mentioned. It certainly was an oversight to omit Rehm's excellent work, *Geschichte der Staatsrechtswissenschaft*. (Freiburg, 1896.)

It is to be hoped that many will be stimulated to further researches in the field which Professor Dunning has treated so attractively. In it there is great room for original investigation, for there is scarcely a library of manuscripts in Europe which has not one or more unpublished works on the state.

JAMES SULLIVAN.

*New Tales of Old Rome*. By RODOLFO LANCIANI. (Boston and New York: Houghton, Mifflin and Co. 1901. Pp. xii, 336.)

IN 1899-1890 Professor Lanciani delivered the Gifford lectures at the University of St. Andrews, and this book contains such parts of those lectures as refer to recent archæological and historical research in Rome, and have not appeared in any of the author's previous publications. The titles of the chapters will give a general idea of their contents. They are "The New Discoveries in the Forum and on the Sacra Via," "The Sacred Grove of the Arvales," "The Truth about the Grave of St. Paul," "Strange Superstitions in Rome," and "Jewish, English and Scottish Memorials in Rome." Under these comprehensive titles, a heterogeneous mass of archæological lore, classical and mediæval, is exhibited with much charm of style, but in an unsystematic manner. Thus in the chapter on "Strange Superstitions" the bare mention of the national gods of foreign soldiers quartered in Rome is the occasion for a long digression upon the *equites singulares*, and the description of the sanctuary of Diana at Nemi introduces an eight-page discussion of the fragments of the two ships found in Lake Nemi. This digression has, to be sure, some excuse in the author's curious theory that these ships were connected with the worship of the goddess. The first chapter deals with the most ancient remains on the Comitium, but its last six pages are devoted to the story of Pasquino and Marforio.

Lanciani takes his stand definitely with the so-called conservative school of Italian archæologists, and actually prints Ceci's interpretation of the inscription on the stele—an interpretation which was immediately rejected as being pure fancy—as well as that redoubtable person's diatribe against foreign scholars. Lanciani himself joins in this attack, but naïvely confesses (p. 25) "We do not know whether Professor Ceci is right or not"!

Lanciani believes that we have, in the ancient tufa structure beneath the *lapis niger*, the actual tomb or heroön of Romulus, which became an object of popular worship by the end of the seventh century B. C., and



was gradually covered with a layer of sacrificial debris. After the invasion of the Gauls, and the raising of the level of the Forum, ex-voto offerings were thrown into the surrounding *fossæ*, and at a still later date, these *fossæ* were emptied and their contents heaped upon the heroön. In this way he attempts to explain the presence of fragments demonstrably belonging to the last century of the Republic. The decisive objection to this view is the fact that the latest fragments were found mixed with the earliest through the whole mass, showing that no part of it was the result of gradual accumulation.

The author also thinks that the archaic inscription dates from about 600 B. C., but this is probably a century too early. His belief that the Capitoline wolf stood on the pedestal dedicated by Maxentius to Mars Invictus, and found on the Comitium, has not met with general acceptance. In the fourth chapter, which contains a description of the Basilica Æmilia and a history of the church of S. Paolo fuori le Mura, Lanciani calls attention to the fact that he has always been of the opinion that the twenty-four columns of pavonazetto which stood in the church before its destruction in 1823, came from this basilica, but he omits to state that the evidence of the ruins themselves, so far as they have been excavated, is decidedly against his position.

This book will be useful to the general reader who has some knowledge of Roman antiquities, but not to the student or specialist. It is interesting, as all of Lanciani's books are, but inferior to his earlier works in many respects, especially in its lack of system and failure to distinguish clearly between fact and fancy. So eminent a topographer may be pardoned, perhaps, for maintaining his own views, even when they have been rejected by the great majority of scholars, but hardly for such carelessness as is displayed in the following contradictory statements. When speaking for the first time of the round mass of concrete which stands in the niche of the temple of Cæsar, he calls it the "base of the Julian pillar," and says (p. 20): "The pedestal of this column is still to be seen in a semi-circular recess in front of the temple of Cæsar, as is shown in the cut below." On page 80 we read: "It [*i. e.*, the spot where Cæsar's body was burned] is marked by an altar—or, to speak more accurately, by the core of an altar—built of concrete with chips of Numidian marble, that is, with the fragments of the original column set up on the site of the incineration and overthrown by Dolabella"!

*The Marquis d'Argenson and Richard II.* By REGINALD RANKIN. (London, New York and Bombay: Longmans, Green and Co. 1901. Pp. xxxii, 300.)

CONSIDERED from a literary standpoint these two essays are just what we should expect from the author's previous work. The style is clear and elegant, the logic seems convincing and the work abounds in fine figures of speech and deftly used quotations. But the value of the work as a contribution to science leaves room for some criticism.

"The Causes of the Fall of Richard II.," the longer of the two



essays, is a subject upon which much light is needed. Nearly all of the original sources of information—chronicles, as well as state papers, and contemporary poetry—were either written after the accession of Henry IV. or else altered to suit the change in dynasty. The present views of a revolution as important as that of 1688 are based chiefly on this hostile evidence and they would certainly be modified by a careful critique of the sources. Far from giving us such a critique, the author has not even attempted the briefest description of the sources used. His usual method is to cite a single authority for some important statement, but without referring to other testimony or placing the reader in a position to judge of the value of his citation. He often fails to discriminate between contemporaries and authors of the following centuries, often citing the latter when their own sources were available (pp. 156, 242, 243, 244, 251). There are also little negligences in citations which might easily have been avoided. For example, pages of the references are omitted (pp. 155, 214, 246) and a long note is practically copied from Stubbs without acknowledgment (p. 298; cf. Stubbs, *Const. Hist.*, II. 476).

In consequence of these methods Richard II. fares even worse than in the usual version. True, his troubles were inherited rather than of his own making, and the beautiful words which Shakespeare puts into his mouth form the keynote of the narrative. (*Richard II.*, V. I.) His personality was the chief cause of his downfall, arguments being even drawn from his appearance, as preserved in surviving portraits. There were no redeeming features in his character (p. 173). His policy of balancing the Lollards against the hierarchy lost the support of both parties, and he is even charged with leaning towards Lollardy, no notice being taken of Mr. Trevelyan's convincing proof of the contrary (*Age of Wycliffe*, 310, 329). A chapter is devoted to Richard's favorites, but without sufficient consideration of the fact that their influence was remote, since they were executed or banished in 1386, excepting John of Gaunt, whose active part in politics had ceased in 1381, when the King was thirteen years old. Richard's French policy indeed made him enemies, but he should also receive credit for the fact that his obligations to his allies, the state of England, and the attitude of the Commons on money grants, rendered it the wisest course to pursue.

In the chapter on "The People" Mr. Rankin attempts to show that the fall of Richard was largely due to the revolutionary ideas of 1381. This is done by reference to a spurious confession of Jack Strawe, but no notice is taken of the fact that the demands of the insurgents contemplated a popular absolute monarchy (*AM. HIST. REV.*, VII. 283-284); that Richard distinctly favored the lower classes when he proposed the emancipation of serfs to Parliament in 1381, and when in 1391 he vetoed a petition of the Commons to prevent them from educating their children. Another chapter treats the important part of the Parliament in Richard's downfall, and the last is devoted to Henry of Lancaster. In him the author sees a skilful conspirator who from the beginning aimed at the throne. But, in reality, several unforeseen events made Henry, the

King's ardent supporter, a pretendant to the throne: his unexpected banishment, the death of the heir apparent (the Earl of March) in Ireland, and of John of Gaunt in England. Mr. Rankin's brilliant essay is, on the whole, little more than a development of the usual views already expressed by Stubbs, and it throws practically no new light on the revolution of 1399.

This lack of critical method, with its attendant results, is not so apparent in "Le Marquis d'Argenson." In this instance the materials consist chiefly of that statesman's *Memoirs* and *Traité de Politique*, and the task does not involve a comparative criticism of the sources. In the chapter on "D'Argenson the Man" the author, while not sparing his hero's weaknesses, does full justice to his sterling honesty and indefatigable industry. "D'Argenson the Statesman" is an account of his failure as foreign minister (1744-1747), due to his conservatism in adhering to the ancient policy of hostility to Austria, and to his lack of practical ability as a statesman. The author justly observes that he would have made a better *premier ministre*; but whether "he would be remembered as a greater than Turgot" is very doubtful. For d'Argenson was great as a theorist, and not as a practical statesman. In "D'Argenson the Philosopher," we are given an account of his religious and political views, which form a curious combination of the old and the new. He subordinated the church to the crown: "L'église est dans l'état"—and the King is its head. He believed in an absolute monarchy, but in local self-government of a democratic character. He advocated just schemes of local taxation with heaviest incidence upon luxuries, peasant proprietorship of land and absolute *laissez-faire* in matters of internal trade. We cannot but admire the political foresight of a man who foretold the French Revolution and its effects, the independence of the American colonies, the union and freedom of Italy, and the construction of the Suez canal.

GEORGE KRIEHN.

*Découverte et Évolution Cartographique de Terre-Neuve et des Pays Circonvoisins, 1497-1501-1769.* Par HENRY HARRISSE. (London: Henry Stevens, Son and Stiles. 1901. Pp. 420.)

THOSE who have disagreed most radically with the opinions advocated by Mr. HARRISSE in regard to John and Sebastian Cabot will be foremost in welcoming the latest volume from the acknowledged master of all that concerns the history of American discovery. Since 1897, except for a short excursus into the career of a French lithographer, Mr. HARRISSE's publications have been entirely devoted to the Cabot controversies, a subject which was repeatedly on the verge of degenerating into personalities. He now returns to the methods and the subject of some of his very best earlier work, and all who care for American beginnings will rejoice at the proof that the master's eye is as keen, his grasp of the significant details as strong, his command of the literature, printed and manuscript, written and drawn, as thorough and comprehensive as ever before. Three years ago there was a temptation to speak of Mr. Har-



risse as an old man, out of temper with those who would not agree with his dicta. It is nearly fifty years since, in 1854, his first published writings appeared, but his latest book, embodying an exhaustive analysis of the ways by which geographers learned how to portray the contours of Newfoundland, is the work of a man still in his prime. With three further essays about to appear, students may hopefully look forward to learning much from him, who has mastered the most crabbed text of American history more thoroughly than any of the others that have contributed to the unravelling of the perplexing problems of how Europe came to know America.

Mr. Harrisse's *Terre-Neuve* is intended to be an illustration of how geographical history should be studied. The subject is one with which he has been familiar for thirty years, since the days when he utilized the leisure enforced by the encompassing German army, in searching through the Paris archives for material relating to New France. The *Notes* embodying the results of this investigation appeared in 1872. Ten years later he published his first Cabot volume, followed in 1883 by *Les Corte Real*. The magnificent *Discovery of North America*, issued in 1892, brought together the results of all his previous studies, the northeastern coast sharing with the Gulf of Mexico the largest part of his attention. An examination of these successive volumes shows clearly how his appreciation of the importance of the maps cotemporary with the voyages of discovery has grown steadily, until now, in his *Terre-Neuve*, he frankly abandons the ordinary sources of information and undertakes to find out what there is to be learned from an exhaustive study of the cartographical documents. Starting with the earliest American maps, the La Cosa, Cantino, and Canerio, he traces the growth of Portuguese interest in the northwestern Atlantic, with the accompanying failure of the English to take advantage of their earlier information, apparently because they found they could make more money in buying and trading the fish caught by the Biscayans, Bretons, and Azores men. The French seem to have been the first to establish themselves with winter quarters on the shore, and they were the leaders in following along the coast into the gulf behind the island and on up the St. Lawrence. As the possibilities of the fur trade came to be realized, the fisheries lost their preponderating importance, and the consequent falling off in the attention paid to the sea-coast was reflected during the later sixteenth century by a growing uncertainty in the configuration on the maps. Cartier's discovery of the entrance through the straits of Belle Isle misled the map-makers, already puzzled by the confusing irregularities in the coast to the south, into inferring that the whole Newfoundland region was an archipelago. For nearly fifty years this region was represented as a group of a dozen or twenty small islands, which were gradually solidified into three, as authentic information was received showing that one and another supposed passage was in reality a closed bay. Eventually the single triangular land mass reappeared, and then the geographical problems became simpler. It was not until 1751, however, when the Marquis de Chabert made a



voyage in Newfoundland and Acadian waters for the special purpose of rectifying the errors in existing charts, that the island began to assume the detailed character it has on modern maps. In 1762 James Cook, a young naval surveyor who later became the famous navigator, was assigned to duty in these waters with instructions to produce an accurate map. The result of his work forms the basis for the current Admiralty charts, and with this Mr. HARRISSE appropriately closes his study.

The majority of students upon opening this volume will look first at the chapters in which Mr. HARRISSE, for at least the fifteenth time, returns to a consideration of the Cabot discovery. The result, with those who have followed the animated discussions for the past five years, will probably be mingled surprise and admiration. Few would have guessed from the acrimony of 1898-1900 that Henry HARRISSE would turn to meet his opponents half way, with a virtual offer to let the disputes rest where they are. It is not to be expected of either side that any contentions will be withdrawn. All will agree, however, with his frank acknowledgment that none of the evidence so far recovered is sufficiently definite to settle the disputed points beyond question, so that all differences are matters of quite justifiable personal opinion. He speaks of Cabot's landfall as on the Labrador coast, but he then goes on to state the evidence and the arguments which make that location virtually impossible. He says that Cabot did not see Newfoundland in 1497, but he also gives an elaborate, unluckily not quite a convincing, argument that La Cosa's chart of 1500 is based entirely, for this region, upon Cabot's first voyage, and moreover, that La Cosa's northeastern American coast line represents what can only be the actual coast of Cape Breton eastward to Cape Race. Oddly enough, he does not even hint at the obvious point that if Cabot made an extended voyage in 1498, he must have seen the island in that year. However pronounced one's personal opinions may be, it is impossible not to recognize that Mr. HARRISSE has with great fairness presented the essential facts as they were understood before the Cabot centenary discussions began, and as they are still retained by the few unprejudiced students of the subject who have kept out of the heat of the conflict.

GEORGE PARKER WINSHIP.

*Le Parlement de Paris ; son Rôle Politique depuis le Règne de Charles*

*VII jusqu'à la Révolution.* Par E. GLASSON. In two volumes

(Paris : Hachette. 1901. Pp. ii, 469 ; 516.)

ON the origin, organization and procedure of the Parliament of Paris much has been written ; there are the excellent volumes of Aubert ; there is M. Glasson's own account in his *Histoire du Droit et des Institutions de la France*. It is therefore to the "neglected or badly understood" political activity of the Parliament and its relations with the absolute monarchy that M. Glasson has now devoted two volumes.

In the first chapter, which rapidly runs over two centuries and is more in the nature of an introduction to the detailed study which begins with the reign of Henry IV., M. Glasson shows that in the time of



Charles VII., the Parliament of Paris had no political power and wished for none. The political rôle of the Parliament really begins in the sixteenth century, when Francis I. invited its assistance in several public matters in which he needed support, such as the repression of the Huguenots and the annulment of the Treaty of Madrid. He recognized, too, the *droit de remontrance*. Under his weak successors the Parliament began to interfere on its own initiative in matters of state; it successfully opposed the encroachments of Rome upon the Gallican Church, and by defending the rights of the crown against the attacks of the League did a real service to the monarchy. But when the magistrates thought to exert their political power by opposing the Edict of Nantes, Henry IV. summoned them to him, talked to them "*comme un père de famille*", and reminded them that they were a court of justice and not a political body. The Parliament yielded, and, without abdicating its pretensions, awaited a more favorable opportunity to make them good. This opportunity came with the King's assassination; on the same day the Parliament voted that the regency should belong to Mary de' Medici.

The final disappearance in 1614 of the States-General, which was the only possible political rival of the Parliament of Paris, the rapidly increasing solidarity of the *noblesse de robe* since the introduction of the *pauvette*, and, most important of all, the long weak regencies following the deaths of Henry IV. and Louis XIII. gave the Parliament its chance to take a serious part in political affairs and for a moment in the Fronde really to limit the monarchy by a short-lived charter of liberties. That the Parliament of Paris was ultimately defeated in the Fronde and reduced to political impotence when Louis XIV. reached his majority, M. Glasson believes was due to nothing so much as to the blunders of the magistrates themselves: to their short-sighted alliance with the nobles who exploited Parliament's opposition to Mazarin for their own selfish ends; to their habit of suspending all justice until their remonstrances had been listened to; and to their continual refusal to register sensible financial edicts which were necessary for the conduct of the government and the successful conclusion of the war with Spain. Their defeat was emphatically signalled in the famous Bed of Justice where Louis XIV. suddenly entered the Palace of Justice in his hunting costume, and in the energetic words which have been reduced to the apocryphal *L'état c'est moi* gave his Parliament to understand that during his reign justice alone and not politics was to be their concern.

At the beginning of the eighteenth century, for a third time, the minority of the King gave the Parliament a chance to regain political power. At the request of the Duke of Orleans it overthrew the provisions of Louis XIV.'s testament, made Orleans regent, and received in return from him a recognition of the right of remonstrance and certain other privileges which had been taken away by the absolute Louis XIV. Henry IV. and Louis XIV. by their spirit of justice and good administration had made the absolute monarchy respected; Louis XV., willing to reign but not to govern, made it detested, and this too at a moment

when the new philosophy was beginning to question the basis of the monarchy itself. The magistrates, indoctrinated with Montesquieu and Rousseau, began to show a wholly new tendency in the latter part of Louis XV.'s reign; no longer confining themselves to opposition on questions of finance and religion, they set forth in long remonstrances "fundamental laws" which were subversive of the absolute monarchy and helped prepare the revolution. Maupeou saw the danger and did not hesitate boldly to suppress the Parliament of Paris with its "fundamental laws"; he replaced it with a court of his own creation, in which the venality and many other abuses of the old Parliament were swept away. The new judges were men of moderation and good sense and would, M. Glasson believes, if retained by Louis XVI., have seconded Turgot and helped the government to carry through the indispensable reforms. But Louis XVI., with his fatal weakness of will, contrary to his own better judgment, yielded to the wishes of the people, exiled Maupeou to his estate, dismissed his good parliament, and restored the old Parliament of Paris with all its prejudices, abuses, and factious spirit of systematic opposition. As Turgot had clearly foreseen, and warned the King, the Parliament bitterly opposed the great reform edicts, and sooner or later came into conflict with all the succeeding ministers. It was unable to reform any of the abuses of the Old Régime itself and it systematically refused to lend a helping hand to the monarchy in its attempt to do so. Finally it lost all credit with the people because it demanded that in the meeting of the States-General the forms of 1614 should be observed, intending thereby to secure that predominance of the clergy and nobility over the Third Estate which the magistrates believed the best guarantee for the maintenance of the system of privilege. During the remaining months of its existence, until placed in permanent vacation by the National Assembly in October, 1789, the Parliament had no political influence.

All the ideas which M. Glasson has spread over his two volumes might well have been put within the compass of one. Where an author has used manuscript sources, that are not easily accessible, he may well insert quotations from them in an appendix or foot-notes; but where, as in this case, the author has been content with the printed material,—M. Glasson has not even consulted the registers of the Parliament itself,—there is no excuse for the continual interjection into the text of long quotations from such well-known, but often very partizan, memoirs as those of Molé, Omer Talon, Retz, St. Simon, and Barbier. M. Glasson's book will, nevertheless, be found interesting and useful to students of the absolute monarchy in France.

SIDNEY B. FAY.



*Carácter de la Conquista Española en America y en Mexico segun los Textos de los Historiadores Primitivos.* Por GENARO GARCIA. (Mexico: Oficina Tipografica de la Secretaria de Fomento. 1901. Pp. 456.)

THE Spanish conquest of Mexico is one of those episodes that have been chosen by students of history as a sort of landmark, in regard to which it is necessary to discover the exact truth in every detail, in order that it may be used as a basis by which to estimate the relative truth of statements regarding all the surrounding events. It is fortunate that the rest of Spanish American history has not been subjected to similar treatment; if it were, the chaos of conflicting and contradictory statements and opinions would be most appalling. The character of Cortes and the real course of the events in which he figured have been the subject of most diverse estimates, out of which the approximate truth is only now becoming gradually apparent. The mass of writings that have grown up about the Conquest have made it difficult to perceive the fundamental facts, although the laborious search for something upon which to establish a satisfactory opinion results in the end in giving those opinions a firmer and more permanent basis. Sr. Genaro Garcia's *Carácter de la Conquista Española* is in many respects the most important contribution since the publication of Mr. Morgan's famous essay on "Montezuma's Dinner". Prescott, following the earlier Spanish writers, gave in English the version of the story which would, it may be surmised, have best pleased the direct descendants of the conquerors. Mr. Morgan and Mr. A. F. Bandelier, by showing what sort of people the conquered natives really were, added an essential factor to the complete understanding of the course of events. Sr. Garcia has now undertaken to show how the Spanish conquerors actually conducted themselves. What still remains to be done is to rewrite the whole story from the point of view of unbiased history, doing equal justice to conquered and conquerors, and keeping ever in mind the way in which each side looked upon its own actions as well as upon those of its enemies.

Sr. Garcia's volume for the first time comes within measurable distance of a definitive understanding of the most perplexing, because the most completely known, episode in Spanish-American history. By keeping close to the elementary sources of information, extracts from which make up the bulk of his volume, he provides material for an independent judgment, both of the actual facts and of his own treatment of them. That the result is not favorable to the Spanish character will be readily guessed. Sr. Garcia shows, by quoting the things which they said about themselves, that the "Conquistadores" and the priests and administrators who solidified the work of the soldiers, were guilty of every species of brutality and useless cruelty towards their fellow Spaniards as well as towards the natives, whose guileless unwillingness to recognize the deceitful and untrustworthy character of the stranger white men alone explains the success of the invaders. That this is not a sufficient explana-

tion of the success is obvious. The very able and uncompromising fashion in which Sr. Garcia, himself of excellent Spanish blood, presents many of the underlying national traits, however, while it does not give all the reasons for the downfall of Motecuhzoma, does advance the understanding of these events a long way toward what is to be the final matured judgment of historical students. GEORGE PARKER WINSHIP.

*The Mystery of Mary Stuart.* By ANDREW LANG. (London, New York and Bombay: Longmans, Green and Co. 1901. Pp. xxii, 452.)

MR. LANG'S book is neither a biography of Mary nor a history of her reign. The mysteries with which he deals lie between 1561 and 1568; they concern Mary and her intimates, especially Moray, Lethington and Bothwell. To his difficult task the author has brought a singularly open mind, great critical ability, and an ingenuity not inferior to that of any of his predecessors. He does not expect finality and has not radically altered former estimates of Mary's personality and degree of guilt; but even in his "spirit of reluctant conscientiousness," he has strengthened the case against her. His contributions to the history of individual episodes and actions are of substantial worth. The full value of the work as an attempt "to show how the whole problem is affected by the discovery of the Lennox Papers" will not be accurately known until these appear in the critical edition which Father Pollen has promised. But much of the permanent value of Mr. Lang's book is altogether independent of the Lennox papers.

The book has its defects. Erroneous dates occur, but arguments are not invalidated by them. The author's dread of dogmatic statement occasionally leaves the unfortunate impression of indecision. The worst mistake in point of fact and inference relates to Mary's abduction. The Queen at Dunbar, according to the Spanish Calendar, threatened Huntly's life, if Lethington were injured. Confusing Melville's account with this, Mr. Lang substitutes Bothwell's name for Huntly's and asks—Could the Queen who said that be in love with Bothwell?

Apart from the Lennox papers, the most important fresh material which Mr. Lang produces is the suppressed passage of Hepburn of Bowton's confession, printed in the preface. If authentic—Mr. Lang accepts it, and the document of which it forms a part is attested by the autograph signature of Bellenden the justice clerk—it proves that Moray knew exactly who Darnley's murderers were, suppressed the evidence at Westminster, and prosecuted his sister, knowingly, in close alliance with two of the actual murderers.

Mr. Lang's work is largely based upon the new material in the Lennox papers, now extant in the Cambridge University Library, transcripts of which were found among the papers of the late Father Stevenson by Father Pollen and were by him transmitted to Mr. Lang. They enable him to present the most satisfactory account yet given of Lethington's tortuous policy, to state the substance of Crawford's second



deposition at Westminster, and to relate new and trenchant anecdotes illustrative of Mary and Darnley's relations at critical periods—especially at James's christening and at Kirk O'Field. Containing briefs against Mary prepared by Lennox for the instruction of the English commissioners at York, they enable Mr. Lang "to get behind the scenes and show how Mary's prosecutors managed and worked up their case." They also contain briefs given by Lennox to Buchanan: upon this material the Book of Articles is partly based and here too is the first draught of the Detection—a paper entitled "Probable and Infallyable Conjectures." It is not Mr. Lang's least service to have presented the most accurate critique of Buchanan yet attained. The Lennox papers also include material by means of which Mr. Lang strengthens the probability of Hosack's view that a forged antecedent to the Glasgow letter actually existed. Twenty-nine pages of intricate argument furnish a plausible rather than convincing case. More conclusive is the new account of the Craigmillar conference. Fresh evidence in the Lennox papers seems to warrant Mr. Lang's deduction that at Craigmillar a definite plan of procedure against Darnley was adopted with Mary's consent—viz., to arrest him for treason and to kill him if he resisted. The plan was not to be executed till after the christening. In the meantime it was discovered and abandoned. Hatred of Darnley, in Mr. Lang's opinion, sufficiently accounts for each of Mary's actions from Riccio's murder to Darnley's; love of Bothwell was not needed. He inclines to believe in her active guilt in Darnley's murder.

Mr. Lang proves that Kirk O'Field at the time of Darnley's murder lay *inside* the city walls. He also demonstrates the existence of two "bands" against Darnley in the winter of 1566–1567; the first a quasi-constitutional band to refuse administrative power; the second, the well-known murder band. Moray, man of many alibis, doubtless signed the first—certainly not the second.

Nearly one-half of Mr. Lang's book is devoted to the Casket letters. He inclines to accept their authenticity, except in minor portions. If forged, Lethington is guilty. He demonstrates that on the very day of the Casket's opening—a new and important point—the Lords sent Melville to Elizabeth with the tidings. So perish many arguments founded on the delay in their production. The Lennox papers contain the oldest extant manuscript of the Scotch version of the celebrated Glasgow letter and to that extent have assisted Mr. Lang in producing the most reliable text yet printed of the Glasgow letter and the copies of the French originals of the Casket letters. For Letters I. and II. he has evolved a new principle of criticism, destructive of many arguments, by demonstrating that no valid inferences can be drawn from discrepancies between the Scotch and English versions.

With great ingenuity Mr. Lang excels former critics of the Casket letters by bringing out two points which tend to establish the authenticity of the Glasgow letter. He justifies its internal chronology and rearranges its form. His first task is accomplished by correcting the official scheme

of dates in Cecil's journal, according to which the prosecution ruins its own case by establishing for the letter an absurd chronology and the presumption of forgery. Distinguishing sharply between the legal case and the historical case against Mary, Mr. Lang rejects the prosecution's dates and erects a provisional scheme based upon the agreement of two independent Edinburgh diaries concerning the date of an Edinburgh matter. Had Cecil's journal presented the date of the diaries, the letter's chronology would not have been open to attack.

Most critics consider the Glasgow letter the clumsy work of a forger who has cut a genuine letter into pieces and interpolated false matter. Paragraph seven concludes with the words—"The morne I wil speik to him upon this Point:" paragraph eleven ends—"This is my first jorney (day's work). I sall end ye same ye morne." Mr. Lang's explanation is simple and excludes the idea of interpolation. Mary wrote these words, consecutively, at night, the first expression at the bottom of one sheet, the other at the top of a fresh sheet. Next day she picked up the second sheet on the unused side, and continued her letter, not discovering her words of the previous night until she turned the page. She then probably ran her pen lightly through the lines, but later a bungling transcriber and translator copied the whole affair. *Hinc illæ lachrymæ*. Mr. Lang's ingenious explanation, supported by an identical instance in the case of Mary's sonnet in the Bodleian, has since acquired additional probability. The authentic manuscripts from which Father Pollen in his recent publication prints for the first time Mary's long letter to the Duke of Guise, exhibits, *mutatis mutandis*, a similar mistake on Mary's part.

O. H. RICHARDSON.

*Papal Negotiations with Mary Queen of Scots during her Reign in Scotland, 1561-1567.* Edited, from the original documents in the Vatican Archives and elsewhere, by JOHN HUNGERFORD POLLEN, S.J. (Edinburgh: T. and A. Constable, for the Scottish History Society. 1901. Pp. cxliii, 555.)

FATHER POLLEN'S volume contains two hundred and fifty-nine hitherto unprinted documents, edited with scrupulous care, and accompanied by accurate translations and full notes. The collection practically fills the gap which remained in the records of Mary's reign after the publication of the Spanish Calendar with the exception of her correspondence with the Cardinal of Lorraine. This Father Pollen was unable to find, and he despairs of its recovery.

The introduction to the work is itself a valuable contribution to history. It exhibits old problems in the light of the new facts and dispels many mysteries. First is disclosed the fatal weakness of French policy with respect to Scotland during the regency of Mary of Lorraine—not an out-and-out French and Roman Catholic policy, but "an endeavor to cloak a policy of compromise with the appearance of being 'thorough.'" The attempt betrayed the essential weakness of France, roused the



suspensions of both friends and foes, and led to political combinations which ruined French power in Scotland.

As to religious matters, Mary Stuart in the documents appears to rule consistently as a *politique*, not as an extremist whose ultimate endeavor was to undo the Reformation. She aimed at an English alliance, was "not oppressed by her duty as a Catholic sovereign," and seems to manifest more desire for Roman subsidies than for Roman rites. Apparently the papal diplomatists were not consulted at all about Mary's assumption of the English arms.

The strongest argument for believing that Mary signed the Catholic League disappears with the publication of a letter from Pius IV. to the Cardinal of Lorraine, dated September 25th, 1565, expressly refusing to send Mary a subsidy. In fact, Father Pollen, finding no diplomatic material at Rome or in the archives of any of the countries said to be concerned, argues conclusively enough that no such league ever existed. Absence of such documents from the archives of one state might be accidental; absence from all amounts to proof positive. In a similar way he is able to show that Rizzio was not a papal emissary.

The documents further enable Father Pollen to unravel the mystery attending the dispensation for the Darnley marriage. The wedding occurred July 29; the dispensation was not granted until some time between August 14 and September 25. On the 22nd of July, however, the day when the banns were published, Mary had received from the Pope a communication which the papal nuncio at Paris, one of its forwarders, believed to be the dispensation itself. Circumstances were pressing, Mary acted as if the dispensation had been granted—rumors were rife that it had been and Mary may have believed them—married Darnley and said nothing. Labanoff erroneously asserts that Mary's envoy, the bishop of Dunblane, arrived at Edinburgh with the dispensation on the 22nd of July and the banns were at once published. Recent historians have followed Labanoff.

Father Pollen rightly considers that the letters of Laureo, bishop of Mondovi, a nuncio despatched from Rome in June, 1566, form the most valuable body of documents in the entire collection. They prove the energy and determination with which Pius V. sought to regain the obedience of Scotland; they show also Mary's coolness in the cause, and the consistency with which she carried out her policy of compromise. The account which they give of the great tragedy of the reign is the fullest we possess, considering their early date. Two new details are of considerable importance. The first is a definite statement that "one rib in the King's body was found broken by the 'jump' of the fall, and all the inward parts crushed and bruised." The second is a circumstantial account of a simultaneous attack on Darnley in Edinburgh and Lennox in Glasgow. If this be true, it tends, as Father Pollen suggests, to redeem Mary from the charge of active participation in the murder on the score of her bringing Darnley from comparative safety at Glasgow to certain danger at Edinburgh. Finally, Laureo's letters prove that un-

sparing condemnation was meted out to Mary by papal emissaries and the Pope himself on account of her marriage with Bothwell. Negotiations were discontinued for two years.

It is with great interest that we await Father Pollen's critical edition of the Lennox papers and documents relating to the proposed excommunication of Elizabeth at Trent.

O. H. RICHARDSON.

*The True Story of Captain John Smith.* By KATHERINE PEARSON WOODS. (New York: Doubleday, Page and Co. 1902. Pp. xv, 382.)

THERE is welcome awaiting the book that shall tell Smith's story effectively or test his trustworthiness critically. Probably one volume cannot do both things; certainly the present volume does neither. The plan of the narrative is well conceived: one hundred and twenty pages suffice for all possible detail before and after the Virginian voyage, two brief chapters give the historical setting for the Jamestown expedition and over half the volume is reserved for Smith's heroic two years as colonist and governor. Moreover, Miss Woods feels to the full the charm of the robust manhood and romantic adventure wherewith her hero's own accounts clothe him, and she believes implicitly in his honesty. Nevertheless the story element is ruined by the intrusion of superfluous and shallow judgments and by a thoroughly wretched and fatal style.

And while the book is unsatisfactory to the lover of a good story, it is positively irritating to the historical student. "Not the least important" object of the volume, according to the preface, is "to still once and for all those disturbing voices that have of late years been busy in aspersing his [Smith's] memory." As a chief means to the accomplishment of this modest purpose, Miss Woods reprints two old maps of southern Russia, and she hopes that "for the future" certain names therein "will convict of simple ignorance him who doubts that John Smith fought the Turks in the 'Land of Zarkam' or was carried a slave and prisoner into 'Tartaria'!" Miss Woods seems not to know Mr. Lewis L. Kropf's formidable demonstration that the whole Transylvanian story is a worthless romance. So long as the Pocahontas story was taken as the touchstone of Smith's character, we were compelled to judge mainly from Smith's own rather confusing evidence, and it was largely a matter of temperament whether one believed him the soul of honor or a more or less artistic liar. But the Turks' heads and the coat of arms, it seems, may be tested by other than subjective standards. Mr. Kropf's articles in the London *Notes and Queries* of 1890 have taken the Transylvanian episodes out of the field of psychology into that of history, and Miss Woods's two maps go very little way toward silencing this disturbing voice.

The book teems with minor faults. In a work that claims historical character, it is not reassuring to come upon such uncalled for assertions as that Smith's Tartar lady Charatza "may very possibly be



[a Greek] Chryseis" (p. 69); or that Miss Mary Johnston's hero in *To Have and to Hold* is probably modeled after Smith (p. 216); or the more alarming assumption, that if Smith, instead of Rolfe, had married Pocahontas, a half-breed race to-day would dwell upon the Atlantic coasts of North America (p. 182). Statements that England derived her theory of divine right from Spain (p. 91), that under the charter of 1609 the governor in Virginia was appointed for life (p. 319) that when the Pilgrims planned their voyage, they intended to settle within the limits of the Plymouth Council (p. 357) do not inspire confidence in the author's historical preparation. One fails to understand why Newport should have been so disturbed by the death of one or more of his colonists each day just before his return to England (p. 146) if they were all to be alive again, to the full original number of a hundred and five, a few days later (p. 148). Page 103 makes Marco Polo's uncles his brothers and contains two sad misprints, the superfluous comma between the two parts of the name Francesco Pegolotti and the date 1468 instead of 1486 for Dias's voyage round the Cape. The method of giving references is slovenly, and the principle upon which they have been selected is not discernible.

W. M. WEST.

*King Monmouth: A History of the Career of James Scott, "The Protestant Duke."* 1649-1685. By ALLAN FEA. (London and New York: John Lane. 1902. Pp. xxix, 399.)

THE reason for the appearance of this life of Monmouth seems to be that the author has had new material at his disposal. Perhaps the most important part of this material is the Drayton Manuscripts, extracts from which have been printed in Part III. of the 9th Report of the Historical Manuscripts Commission. These manuscripts give much additional information on the movements of the royal forces during the rising of 1685. Mr. Fea considers three letters of the Duke very important, because they demonstrate the weakness of his character; he also thinks of equal importance the declaration made by Monmouth while a prisoner in the Tower that the title of king had been forced upon him and that Charles II. was not married to Lucy Walter. From a Dorchester manuscript dealing with the "Bloody Assize" it appears that the county of Devon which Macaulay says was "barely grazed" by the civil war was really very seriously involved. The available material in the State Papers Series and the publications of the Historical Manuscripts Commission have been fully utilized.

The particular service which Mr. Fea has performed has been to point out more clearly than has ever been done before that the weakest part of the Monmouth movement was Monmouth himself. "Ashley and his allies so encompassed him in their toils, that before he had reached the years when he might have been able to look clearly ahead for himself, he had become enslaved, a helpless tool of party faction." Shaftesbury put him forward as the commander of the forces sent to Scotland to quell the rising of the covenanters in 1679; at Shaftesbury's suggestion he

returned from exile in Holland in the autumn of the same year, and the same man sent him on the quasi-royal progress in the west in 1680. The author does not believe, however, that Monmouth was inveigled into the part he played in the rising. It is true that in his reply to Argyll's secretary he says that he does not desire to re-enter the world as a public character, but the sixteen lines in cipher which have apparently been overlooked by other writers "very possibly may have had an entirely different meaning; and this seems the more likely when we consider how readily he was soon afterwards induced to accept an invitation to Rotterdam, and whatever scruples he may have had were easily overcome by a personal interview." It has been supposed that the Prince of Orange was free from any complicity in the design, Macaulay even praising him for his attempt to prevent the departure of the expedition. Mr. Fea maintains, on the contrary, that "there was a deep rooted suspicion that he abetted the fatal enterprise with the view of getting rid of a popular and dangerous rival. Whatever arguments may be brought forward in opposition to this, it is wholly inconceivable that he was entirely ignorant of the plans of both Argyll and Monmouth, and a shrewd politician such as he can not have seen aught but failure before them in their undertaking." The Prince sent Monmouth on his way and then hastened to acquaint James of his departure. Monmouth's weakness appears at its worst after his arrival at Lyme—the most critical time in his life. Ample material for a formidable rising was at hand, troops from the country poured in, the militia came over in large numbers, and a rising in London only depended upon the presence of a leader. An eminent authority on war, Lord Wolseley, has expressed the opinion that the Duke's only chance for success was to seize Exeter at once where he would have secured money, arms and ammunition and then to hasten to Bristol which was willing to rise. But from the first, Monmouth's inertia made success impossible. He dallied four days at Lyme, and so dilatory were his actions that when he reached Taunton the Royalists were present in overwhelming numbers.

The volume is written in a very pleasing style, and has been made more attractive by the reproduction of portraits of Monmouth, Shaftesbury, Argyll and others. There are also many illustrations. The historical part, however, is sketchy, and Mr. Fea is in error in stating that Algernon Sidney was an officer in the Protector's army in 1648. Such a word as Sedgemoor might be included in the index.

HENRY LAWRENCE SCHOOLCRAFT.

*Calendar of State Papers, Colonial Series, America and the West Indies, 1689-1692.* Edited by the Hon. J. W. FORTESCUE. (London: Eyre and Spottiswoode. 1901. Pp. xxxvi, 807.)

THIS volume contains a chronological descriptive catalogue of all such colonial papers of the above dates as are preserved in the Public Record Office in London and therein may be read the thread of the story of the "late happy revolution" as it affected the British possessions across the



sea. The news that the Prince of Orange had landed at Torbay was slow in reaching the American colonies, but when known, produced important results, especially in New England and New York.

Much of this material has long been available to us in Brodhead's *Documents Relating to the Colonial History of New York*, Vols. III. and IV. Last summer Mr. Lecky referred to that as a splendid piece of work and said that he wished similar collections had been made for other series of historical documents. But, valuable as is that collection and judicious as the editor was in his selections, it still remains *selected*. This calendar, however, adds to its value as it supplies links and further furnishes a complete list of all the papers stored in the London records with a clue to their contents. The papers themselves have been at the service of anyone who could go to the Record Office in Fetter Lane where every facility is afforded for investigation, with the minimum of red tape and the maximum of courtesy to be found everywhere. But in October it was still necessary for anyone seeking information of the communications from the colonies in the period covered by this new calendar, to search through various unindexed volumes—America and the West Indies, Board of Trade, Colonial Papers, and Colonial Entry Books. The old references given by Brodhead no longer applied and there was no principle whatsoever underlying the arrangement of the papers themselves in the manuscript volumes. Documents of precisely the same nature are found in different series, and duplicates are under different headings with no ostensible reason why. Thus—as indeed is true of all these calendars to state papers—an orderly chronological index is of inestimable value, especially if time be limited. It is now easy to select the originals desired before actually beginning work.

At first sight this calendar, edited by Hon. I. W. Fortescue, appears to be a splendid and perfect piece of work. The directions given by the Master of the Rolls are explicit. The editors are to make their calendars not only useful to those who may use them as indices to the originals, but the summaries are to be sufficiently full so that distant students are enabled to obtain knowledge of the contents of unvisited archives. In one sense this object has been admirably attained. The key moves very easily in the lock.

But with all due acknowledgment of the fine work done by Mr. Fortescue, and no one would deny its value, it must be confessed that a careful examination of the result leads to some disappointment. Article 10 in the list of instructions runs: "Where documents have been printed, a reference should be given to the publication." Now this rule has been observed in regard to Brodhead, to which reference is made under "New York Documents." There are occasional omissions (as orders in council no. 17, p. 6 and no. 102, p. 34, both being printed N. Y. Doc. III., 572, 573), but when twenty-seven hundred and eighty-nine documents have been dealt with that is not surprising nor are the occasional slips sufficient to affect the fundamental excellence of the work. But it is to be regretted that no mention is made of O'Callaghan's *Documentary*

*History*, Vol. II., or of the *Collections of the New York Historical Society*, 1868, both of which contain many of the papers in their entirety. It is quite possible, moreover, that others may be printed in local publications of Massachusetts, Maryland, etc., though that is another story. Here only New York matter is considered. In that field it is safe to say that it would have been a great advantage had the above volumes been referred to.

Further, there seems rather more bias both in the thirty-six pages of introduction wherein an outline of events in the colonies is given and in the summaries, than would appear quite justifiable in a publication which should rank as material for history rather than the dictum of an historian who has all the data before him. And it must be remembered that this is but part of the material and much that bears on the events here treated is to be found in America. As an example of the style, take, for instance, this sentence: "Though Boston was a city of Saints and one of Andros's accusers, Mather, was a minister of the Gospel, it seems that no one of them had ever heard of the ninth commandment" (p. xxi). Again, in turning from the New England portion of the narrative, Mr. Fortescue says: "The story of the Revolution [1688-89], *though from the nature of the case unclear*, [the italics are mine] is highly instructive and throws a vivid light on the subsequent revolution of 1774, at which time an account of it not including many of the facts herein set forth was published for the popular guidance."

The course of events in the colony of New York before Governor Sloughter, the duly accredited representative of William and Mary, reached Manhattan Island, is sketched with a spirit worthy a partizan of the anti-Leisler faction. No consideration is given to the weight of the Dutch peasant element in the little city which had finally relinquished allegiance to the States-General only fourteen years before the Protestant Dutch William crossed the channel to replace the Catholic James. It was not an educated nor very wise element, but it is quite possible that it was more honest in its convictions than Mr. Fortescue represents. The lieutenant governor and higher city officials were slow to act when the first news of the revolution in England reached them. They feared it "might be a Monmouth work" as the memory of that tragedy was still fresh in their minds. The overthrow of the said officials and the seizure of the government of New York by Jacob Leisler is, however, open to a different interpretation than that of pure ruffianism given by Mr. Fortescue. Leisler was not a "Walloon" (p. xvi) but a German who had entered the service of the West India Company and had passed twenty-nine of his fifty years as a merchant in New Amsterdam and New York, had married into a worthy Dutch family and was a fervent if uneducated and somewhat bigotted member of the Dutch Church with tremendous anti-Catholic convictions.

In the summary of the letter from William III. to Lieutenant-Governor Nicholson, No. 307, there is no mention of the second part of the address "and in his absence to such as for the time being take care for



Preserving the Peace and administering the Laws in said Province of New York in America." Now upon this phrase hung the law which Leisler claimed to follow when he assumed the title of governor. Nicholson was absent and Leisler was certainly *de facto* at the head of affairs. Thus, as rights go when an old order changes, there was some show of justification for his course, a show wholly ignored in the narrative suggested rather than related by Mr. Fortescue. And this suggestion of illegal violence extends to the index, where, under the heading "Jacob Leisler, *his continuance in crime*," is a reference to a simple order forbidding the defacement of proclamations.

Again, in referring (p. xvii) to Leisler's despatches to the home government, Mr. Fortescue says: "He [Leisler] had already been cunning enough to send home an emissary, Joost Stoll, to give his version of affairs at Whitehall, and now he supplemented this by further lying letters addressed to Bishop Burnet, whom for some reason he selected as the recipient of his wild and illiterate despatches." Now the act of stating the reasons for one's line of action is not in itself a heinous one and here too the adjectives seem open to criticism, considering the place where they appear.

Mr. Fortescue concludes his preface with an expression of regret that Macaulay should have treated the revolution of 1688 with so little reference to its effect on the British beyond the sea. Well here is a splendid series of hand-posts to show the way to treat that phase of the period. Only the writer should be familiar with his colonial archives as well as with what he can find at the Record Office before he is quite fixed in his conclusions.

RUTH PUTNAM.

*The Queen's Comrade.* The Life and Times of Sarah, Duchess of Marlborough. By FITZGERALD MOLLOY. In two volumes. (London: Hutchinson and Co.; New York: Dodd, Mead and Co. 1901. Pp. ix, vii, 658.)

WHEN Mr. Froude published his *History of England*, he assured the carping critics that he could produce contemporary authority for all the conclusions which he had reached. Those who, for instance, doubted Henry VIII.'s magnanimity need only turn to the preambles of his Acts of Parliament, where they would find his motives fully set forth, and what more authentic evidence could they desire? The conclusions of Mr. Fitzgerald Molloy are based upon similar evidence. He is writing of a period when party feeling ran high; he finds strong statements made and, on the basis of such evidence, he depicts the characters in his volumes. Like Mr. Froude, he can say that there is contemporary authority for at least most of what he says, but the one thing wanting in both cases is discrimination. The book is written in the spirit of the Jacobite pamphleteers of the days of William III. Ostensibly it is a life of Sarah, Duchess of Marlborough, but it is also, in Mr. Molloy's own words, an attempt "to paint a vivid panorama of the stirring times in which she lived," and, in truth, the Duchess is often far in the background. Mr.

Molloy is on the lookout for picturesque features of social life, for the doings of eccentric people, and especially for gossip concerning the chief characters on his stage. He makes no attempt to describe or to estimate political forces. We have much about the villainy of William III.: we have little about the real problems with which William and his contemporaries were occupied. The volume is in truth not history but a re-statement for the twentieth century of the most piquant things to be found in the memoirs of the time. There is but slight evidence of research; Dalrymple and the Duchess herself are the chief authorities cited. Concerning the Duchess's own career nothing new is told us.

Posterity owes a certain grudge to Macaulay because his commonplace mind could appreciate only what was very black or very white in character delineation. He has made James II. an unmitigated villain and William III. an almost blameless hero. Ranke was the first to do justice, on an adequate basis of research, to James II.'s character, and his description of the later years of that unfortunate King corrects many of the impressions derived from Macaulay. Mr. Molloy praises James too, but without the discrimination of Ranke. In order to make James's situation in 1689 more pathetic, he describes the "aged" King deserted by his family (p. 96): James was at the time fifty-six years old. William on the other hand is full of almost prophetic wickedness (p. 130); he is "Mary's villainous little husband" (p. 134); he is fond of drink, and indulges in orgies where gin and doubtful jokes abound (p. 137); his amours are innumerable (p. 134). Mary, William's saintly wife, is, it is hinted, an adulteress (p. 136); she composes prayers to glorify not God but herself (p. 141), and shows to her sister Anne cruelty, deliberate and studied. Compton, Bishop of London, is a "blood-thirsty" prelate (p. 111) and a coward (p. 106); and so on. For most of this some verbal evidence could be found and yet Mr. Molloy's delineation is an almost grotesque perversion of truth. William was no saint, but he was at least an earnest statesman, and his conduct, while blameworthy, was still under restraint. Mary, we know, deplored and was troubled to the end, by the quarrel with Anne. Its main cause was that Anne was in communication with James II. who aimed to overthrow Mary's husband. Mr. Molloy makes much of the refusal to let Anne see Mary on her death-bed. Mary, however, was suffering from smallpox and the doctors expressly forbade Anne's visit.

The sensational head-lines, the thick paper, which makes some 650 pages into two portly volumes, the careless English, and, indeed, the author's avowed intention, point to a book made to sell, rather than to a serious study of the age of "the Queen's Comrade." The work is interesting and that, possibly, is the highest praise that the author desires.

GEORGE M. WRONG.



*The Literary Diary of Ezra Stiles, D.D., LL.D., President of Yale College.* Edited under the Authority of Yale College by FRANKLIN BOWDITCH DEXTER, M.A. In three volumes. (New York: Charles Scribner's Sons. 1901. Pp. 665; 573; 648).

EZRA STILES, son of the Rev. Isaac Stiles, of the parish of North Haven, New Haven, Connecticut, was born there on November 29, 1727. He was graduated at Yale in 1746, and after an attack of something like rationalism<sup>1</sup> was licensed to preach in 1749, when he presently became a tutor at Yale. In 1755 he accepted a call to the Second Congregational Church of Newport, Rhode Island. Here he remained, librarian of the Redwood Library as well, until in 1775 his church was temporarily broken up by the Revolution. After a sojourn at Dighton, he went in 1777 to occupy the pulpit at Portsmouth, New Hampshire, made vacant by the election of Samuel Langdon to the presidency of Harvard College. In 1778, though unanimously called to settle permanently at Portsmouth, he decided, after prolonged consideration, to accept the presidency of Yale, which he held until his death in 1795.

By his will he bequeathed his manuscripts for ten years to his son-in-law, the Rev. Abiel Holmes, of Cambridge, Massachusetts. In 1798 Holmes accordingly published a *Life of President Stiles*, which would seem remarkably lifeless were it not exceeded in dulness by Dr. Kingsley's abridgment of it, contributed in 1845, to Sparks's *Library of American Biography*.<sup>2</sup> Since that time, the good president has slept in peace; and his manuscripts, after their ten years' custody by Holmes, have reposed, according to the testator's direction, in the Yale library.

Among these manuscripts the most copious was what he called his *Literary Diary*. This included, together with almost daily records of fact and opinion, such copious citations from his voluminous reading that, for one thing, his extracts from Bruce's *Travels* extended to more than one hundred and twenty-five closely written pages (III. 448 m.). The portions of this *Literary Diary* which are of historical interest were selected by the Yale corporation as their official publication to celebrate the bicentennial anniversary of the college, in October, 1901. Mr. Dexter, the editor of this publication, has done his work with compact precision; for comprehensive brevity his notes are admirable, and, except analytically, so is his index. In consequence, we have at last a picture of New England life from 1769 to 1795 as faithful and as detailed as Sewall's memoranda of life in Massachusetts, which closed forty years before.

Not that Stiles was a second Sewall. The learned president possessed neither humor nor such artless lack of it as should make his records entertaining. In all three volumes the only memorable phrase is his reflection when doubtful whether to relinquish Portsmouth for Yale: "An hundred and fifty or 180 Young Gentlemen Students, is a Bundle of Wild Fire not

<sup>1</sup> Abiel Holmes, *Life of Ezra Stiles* (Boston: Thomas and Andrews, 1798), pp. 35 ff.

<sup>2</sup> Second Series, VI., 3-79.

easily controlled & governed—and at best the Diadem of a President is a Crown of Thorns" (II. 209). But in his own dry, accurate way, he was an excellent scientific observer, as well as a noteworthy linguist, historian and theologian; he jotted down from day to day, and from year to year, such solid statements of fact as make his pages inexhaustible. You find in them not only the daily life of New England, with innumerable sketches of character, but all manner of side-lights on history itself,—on the progress of Revolutionary feeling, for example; on the news and the details of the war, often illustrated by sketches of the battle-fields;—and on the growth of the Constitution. Into all this there is no space to enter here. A single phase of the book must serve to illustrate its character and its value.

Among the salient traits of Dr. Stiles was an American patriotism which often makes him seem rather like a traditional Fourth of July orator than like what he was—an eminent private citizen of the period which Fourth of July orations traditionally glorify. The temper, for example, of the political comments he wrote on February 18th, 1773 (I. 343-345) is precisely like that which animates our patriotic eloquence from 1800 to 1850. A gentleman and a scholar, an unbending pillar of the traditional clerical aristocracy of New England, he nevertheless hated England and adored independence as blindly as if he had learned our history in public schools which hold patriotic fervor the sole end of historical study; and though never democratic, his principles were strongly republican. The personal note here is so strong that one instinctively seeks personal causes for it; nothing could more instructively illustrate the origin of our most potent national prejudice.

Two distinct causes for it presently transpire. The first animates, among many other passages, his virulent comment on Cadwallader Colden (II. 77-78), "an old Sinner . . ." who "had a superlative Contempt for American Learning." Now Stiles was an extraordinarily learned man, in that happy period when learning was not so highly specialized as to preclude comprehensiveness; but the circumstances of American life had compelled him to be mostly self-taught. For example, with the aid of learned Jews at Newport, he mastered several Oriental languages after he was forty years old;<sup>1</sup> and he was equally interested, all his life, in questions of science, of archæology, of whatever should excite his insatiable scholarly curiosity. He wrote, accordingly, voluminous inquiries to learned people abroad. The fate of these, many of which are mentioned in the Diary, is thus recorded by Holmes:<sup>2</sup> "Whether these letters, or their answers miscarried; or, whether the persons addressed were not sufficiently inquisitive, or had not leisure, or abilities, to make the desired researches; or to whatever cause it is to be ascribed; no replies have been discovered." Stiles, in short, was a self-made scholar, in a region which long after his time Campbell's *Life of Lord Lyndhurst* dismissed as the "deserts and trading villages" of America. The aca-

<sup>1</sup> Holmes, *Life*, 128, ff.; Cf. *Lit. Diary*. I. 500.

<sup>2</sup> Preface, v.



democratic scholars of England treated epistles from such a source as waste paper; and, with all the sensitiveness of a self-made man, he resented their insolence even beyond its deserts. Had England had better manners, America would have had fewer patriots.

The second cause of Stiles's Americanism lay deeper. Though of remarkable sectarian independence for his time, he bitterly hated Episcopalians (*e. g.* II. 113-115). One can soon see why. Mr. Dexter's index has failed to specify just where Stiles's comment on the term "Dissenters" occurs; but it is to the effect that Congregationalists, though dissenters in England, are not so in America, but that there the true dissenters are Episcopalians. As an Orthodox Congregational minister, in short, he held himself a member of an apostolically ordained<sup>1</sup> ecclesiastical establishment for which he confidently predicted hemispheric primacy (I. 345). The clergy of this hierarchy, no matter how small their charges, he habitually designated by the names of their churches (*e. g.* I. 127) until one insensibly begins to feel that in New England the preposition *of* was very like a particle of nobility. In church councils every reverend pastor ought to have an equal voice, whence Stiles's republicanism; and no layman ought to have voice equal to theirs,<sup>2</sup> whence his freedom from democracy. Now, in his opinion, confirmed by the traditions of emigrant Puritanism, the Church of England, and all episcopacy, threatened the security of the American establishment. His most remarkable assertion of these principles occurred in September, 1785, when he was moderator of the council which ordained his son-in-law, Abiel Holmes (III. 188). At that time Samuel Seabury, lately consecrated in Scotland, had returned to Connecticut; but as yet there was no other American bishop. To assert the full dignity of American Congregationalism, Stiles "addressed the Candidate in the following written words: 'In the name of our L<sup>d</sup> J. C. and by Authority derived from him the great Head of the Chh, We as Ministers of the Gospel, do separate thee, Abiel Holmes, to the Work of the Ministry, and by Prayer & the Laying on of the Hands of the Presbytery, do consecrate and ordain thee a Bishop in the Church of God.'" On the following day Bishop Seabury ordained certain Episcopal clergymen in that same city of New Haven (III. 189). But Stiles was still ahead of him. In the name of New England Orthodoxy he had already used in ordination that obnoxious word bishop; and Seabury could not canonically so use it until he had two fellow bishops to help him. From beginning to end, Stiles was faithful to the aristocratic but republican principles of the New England churches. And so he hated the intruding dissent of Episcopal England; and thus he came again, more deeply than from mere wounded vanity, to hate England itself.

This brief indication of how a Yankee parson, with all his conservatism, learning and love of authority, became, well before the Revolution, as American as Andrew Jackson, is merely one example, and very

<sup>1</sup> See his punctilious derivation of his orders. I. 126-127.

<sup>2</sup> See in general his views concerning the corporation of Yale. III. 452-456.

likely not the most important, of what even cursory study must surely find beneath the dull and heavy surface of the *Literary Diary*. The debt of American scholarship to Yale is incalculable; and no single item of it promises more lasting value than this official monument of the bicentennial anniversary.

BARRETT WENDELL.

*A Short History of the American Revolution.* By EVERETT TOMLINSON. (New York: Doubleday, Page and Co. 1901. Pp. x, 419.)

THIS book fulfils the promise of its preface to give the reader considerable information, not commonly possessed, regarding the part taken by the "common people" in their homes as well as in the army during the war of the American Revolution. Its incidents are particularly illustrative of the feelings of the combatants and non-combatants, and tend to prove that the nation and the armies from which our independence was won were even less just and humane than they have been represented. The work will not find favor among those who deprecate reviving or fostering the animosities of the Revolutionary War. It was manifestly not conceived or executed in a spirit of historical fairness and accuracy. Gates and Charles Lee are criticized with more than usual acrimony and injustice. The author seems to have forgotten himself or to ignore the import of his language when he says (p. 163) that Howe after a trial "abandoned Lee's suggestions, and followed his own plans, with greater success than otherwise he could have gained." The great British cavalry leader is stigmatized as the "infamous Tarleton."

There are few references to authorities. That there was more humanity on the side of the Americans than on that of the British may be regarded as proved by the concurrent testimony of historians in general, but that the disparity was as great as it appears in this work no fair-minded reader will believe on its uncorroborated testimony. It is little short of incredible that the Whigs or Patriots should have had any great advantage in point of humanity over their former fellow countrymen who were Tories. But the author would have us believe that they had. Having told how at Arnold's attack on New London, Colonel Ledyard and 70 of his men were killed and 35 terribly wounded after they had surrendered, he goes on to state:

"Not satisfied even with the murders they had committed, the vile Tories and Hessians took some of the wounded prisoners, and placing them in a cart at the brow of the hill, gave the cart a push, and sent it head long down the steep side toward the river! Above the noise of the conflagration—for the little place was set on fire—rose the cries of the suffering men. Not even a drink of water was given them. Such brutality, such inhuman cruelty, was not exceeded elsewhere, and it was due to the intense hatred which the Tories had come to have for their former friends and comrades."

The style as well as the matter of the work would indicate that it was addressed especially to young people. But an old head would be puzzled



at the first reading of some of its involved and obscure sentences, for instance, the following :

"General Gates, who at the time was in command of the Northern army, having superseded Schuyler in that office, although Washington well knew that Philip Schuyler was much the better man, in spite of the petty jealousies and rivalries of the colonies that prevented him from following his own better judgment, had called a council " etc.

Among its special features are a number of extracts from contemporary poems bordering more or less closely on doggerel, from contemporary newspapers, letters, diaries, etc., and illustrations from paintings by Chappel and Wageman. The latter are distributed through the book without regard to the text. They are mostly battle scenes, and like most such pictures fail to convey even a faint general idea of the battles. There is not a map or plan in the book.

JOHN BIGELOW, JR.

*Letters of James Murray, Loyalist.* Edited by NINA MOORE TIFFANY, assisted by SUSAN I. LESLEY. (Printed, not published, Boston : For sale by W. B. Clarke Co. 1901. Pp. v, 324.)

THIS well-edited book which, first of all, is of interest to the descendants of James Murray, has a real value for the student of colonial history and the Revolution. Beginning with a rapid review of the ancestral Murrays who dwelt upon the Scottish border, and evolving from a half-legendary Murray of "gigantic stature" the more human James Murray, who, "porridge-fed" and "bare-legged," passed his boyhood in Scotland, the editor lets the hero's letters tell the tale from the early days of apprenticeship to a London merchant. Within a few years James Murray became interested in the American colony of North Carolina and went there in 1735 to become a pioneer planter. His letters tell of the colonial life, from the suggestive hint that wigs lasted there a long while, to the confession that he expected to pay a goodly bribe to get a position as collector of the port. Many details of the ordinary business of a merchant and the customs of the colonists in business matters abound, showing the kind of goods that were desired and the products most profitable for exportation. Mr. Murray was incensed over the persistence with which people tried to manufacture, instead of giving all their attention to agriculture and purchasing their manufactured goods from England. He also railed against the paper money mania. Finally being drawn into politics as a member of the governor's board of councillors, the new calling led him to write about the efforts to collect the "quit rents" and about the conflicts within the council. His loyalist tendencies crop out very early in a statement that the disputes of the province are not between the people in general and the governor, for they get along very well, but "there are a certain set of Men in the Province who are never to be Satisfied if they have not the Chief Management of Affairs." There is much evidence that James Murray never became a true *American*, as was the case with over two-thirds of those men who became prominent as opponents of the American Revolution.



Before the earliest signs of the coming storm were seen in America, James Murray left North Carolina for Boston, where his lot fell among the aristocrats, and this fact plainly determined the party he would later choose. The letters, not limited to those of James Murray alone, are those of a Tory group and, as early as 1769, are filled with indignation that "those daring Sons of Liberty are now at the tip-top of their Power and . . . even to Speak disrespectfully of the Well Disposed is a Crime equal to high Treason." In the following year the "factious spirit" is at great height and cannot rise much higher "without the poor People, many of whom are almost starving for want of Employment, going to plunder the Rich and then cutting their throats." A year later he wrote that Ruggles and other Loyalists had got "handsome places" for being "friends of Government," and his wife urged that he, who had no less signalized himself on that side, should try his "luck."

That he was not blind to the future of America is evident in his statement that "in the process of time this extensive fertile territory, cultivated as it will be by millions of people, healthy and strong, must by nature of things predominate" over England. Realizing this, and that a proposed union of the colonies was "a step in the scheme of Providence for fixing in time an empire in America," he yet failed to comprehend how near that empire was to its birth.

James Murray considered the Stamp Act far from being harmful to the colonies, but rather a necessary spur to their industries. If he had said such things to "our Chief Ruler, the Mob," he would have had his "house turned inside out." He complained bitterly that America's worst disease was "the Power of the People, who blindly devolve it on an artful Demagogue." He was not long in being marked as a "King's man," especially when he opened his sugar house to Gage's men and showed a free hospitality to the British officers. Mr. Murray and other Tories finally making up their minds that England was a more congenial country than America, went to the mother country, where they wrote one another consolatory letters about the rebellious province of Massachusetts. From home they learned of the growing power of the mob and the outrages suffered by Tories, how their coaches were burned and pulled in pieces, their loads of goods attacked and destroyed or stolen, their effigies burned. No Tory could sleep until the firearms were loaded and the lights properly placed in the house. One wrote that on her estate, "every beauty of art or nature, every elegance which it cost years of care and toil in bringing to perfection, is laid low."

In the remainder of the book much information is to be found on the treatment of the Tories during the early stages of the Revolution. In the final chapter, the days of exile are described and the last days of Mr. Murray, who died in 1781 before the war had closed. An appendix contains a genealogy of the Murrays and other data about individual members of the family.

C. H. VAN TYNE.



*Nathan Hale, 1776; Biography and Memorials.* By HENRY PHELPS JOHNSTON. (New York: Privately Printed. 1901. Pp. xii, 208.)

MECHANICALLY this octavo volume is a good example of book-making; its 22 plates are by the Bierstadt artotype process, and the printing was done by the DeVinne Press. The edition is limited to four hundred copies on hand-made paper, and 25 copies on Japan paper. The text occupies 130 pages, and an "Appendix," pp. 131-205, consists of some of Hale's correspondence, his army diary, tributes, memorials and notes.

In seven chapters Professor Johnston recounts Hale's ancestry, home-life, college career at Yale, profession of school-master, identification with the American Revolution, and his untimely fate and execution as a spy. The work is not always well-balanced. An apparent dearth of data appears, where ample materials exist for more elaborate treatment. Fortunately the author has avoided repeating numerous fictions which have passed for facts for many years, but he has also encountered his own stumbling-blocks. Mr. George E. Hoadley (p. vi) does not possess any of Stuart's manuscripts. The Hale house (p. 15) was not built until after the martyr's death, and could not, therefore, have been "familiar" to him. The Fordyce volume (p. 38) very likely belonged to another Nathan Hale, and Van Mastricht's treatise was not secured by Mr. Havemeyer at the Brinley sale, but came into his possession many years afterward. On p. 135 Hale's letter (no. 2) is dated "Sept.," but should be "Aug."—as Stuart's correspondence of 1848 shows. The date of transfer of the school-house at East Haddam (p. 196) took place in 1900, not 1890; and the note (p. 204) on "Hale Bibliography" is strikingly incomplete. But these are minor points.

Hale's letters and those of his correspondents are not printed with scientific accuracy, and of the latter quite a few of importance, which have been preserved, seem to be unknown to the author. This is also the case with regard to poetical and other effusions written by Hale, which are an index of his attainments and a commentary on his interests. The text of the camp diary is quite accurate—only a few misreadings having been discovered. The last entry in this diary is not the latest extant item written by Hale, as Professor Johnston supposes. It is lamentable that so few of Hale's own letters have survived; undoubtedly many were lost at the burning of New London on September 6, 1781. The chapter on Hale's ancestry is adequate, but his home-life and college career are susceptible of extensive treatment, and are in his case a *sine qua non* as related to the climax of his life. Hale's conduct in the army was a pleasant contrast to that of some of his own men, notably his lieutenant, Alpheus Chapman, who was found guilty by a court martial of "disobedience of orders and refusing his duty," for which he was dismissed from the Continental service on June 16, 1776.

Hale's love affair is mentioned with remarkable brevity. In a letter unknown to the author, a Wethersfield correspondent boldly jibes Hale

(June 7, 1774) for being "engaged [in] the amorous pursuit" and adds: "For tho' I would allow Miss Adams every charm which was in the power of Nature to bestow, or Art to polish," yet (as summarized) we have some equally fine girls in this town. He continues: "At Yale your Character was certainly that of a scholar and not of a Buck!" An undated love poem to Alicia Adams reveals Hale's heart:

"Far from the seat of pleasure now I roam,"

he wrote, yet professed

"My thoughts are settled on the friend I love."

How does Professor Johnston reconcile these facts with his account?

The author dismisses the story of betrayal by a Tory cousin, Samuel Hale of Portsmouth, New Hampshire, by saying that "Stuart himself demolished it, and we may reject it." The suspicion of betrayal is first recorded by Nathan's brother, Enoch, in his diary on October 15, 1776. It was often repeated in other places, subsequently. Living witnesses of the period, belonging to the family, as late as 1836 wrote that "freedom as well as delicacy will require a total silence on that subject. . . . And even if true they feel that at this late day it had better be left in oblivion if possible." Naturally this was an uncongenial topic. The accused endeavored to "square" himself against "that infamous newspaper publication charging me with *ingratitude*." Naturally; but on the other hand he was a troublesome Tory, and had been repeatedly confined. He joined the British in 1775, was Deputy Commissary of Prisoners at New York at the time of Nathan's capture, and remained with the British army until October, 1778.

Professor Johnston sets up a new claim as to the site of Hale's execution, namely at Turtle Bay or "approximately near the corner of Forty-fifth Street and First Avenue," New York. We believe his contention to be untenable and not established by facts. The British army entered New York at this point on September 15. General Robertson with a brigade took possession of the works in the city proper on the evening of that day, while the rest of the army encamped "with the right at Horen's Hook on East river, and the left at the North river near Blooming Dale," "in which positions," General Howe wrote on the 21st, they "still continue." A more inauspicious place could hardly be imagined than that which Professor Johnston suggests for Artillery Park, namely at Turtle Bay, when one considers the juncture of events, where the use of artillery was so imperative. The table land near the old five-mile stone, afterwards laid out as Hamilton Square, was the highest ground south of Harlem, with a commanding view to the north, and well-known as a place of review for the royal artillery before the war. On this plain "about a mile beyond Turtle Bay" the great artillery exercises took place. Captain John Montresor records such an event in his "Journal" under date of August 20, 1766, which is characteristic. This is the site, near Dove Tavern, which the late William Kelby, of the New York Historical Society, established as the place of Hale's execu-



tion. The late Dr. George H. Moore about thirty years ago secured data favoring this site, and we have discovered Hessian records which, while they do not contradict, speak much in favor of that view. It is regrettable that the brevity of the index (4 pp.) makes it almost useless as a guide to the persons, places and events mentioned in the volume.

*William Pitt.* VON FELIX SALOMON. Band I. Bis zum Ausgang der Friedensperiode, 1793. Teil I. Die Grundlagen. (Leipzig: Teubner, 1901. Pp. xiv, 208).

EVEN to an age which had seen Fox a member of Parliament at nineteen, the successful premiership of Pitt at twenty-five appeared a marvel. This work undertakes to solve the mystery. Without slighting in Pitt's genius and training the personal factors in the problem, the author departs from the traditional view by casting elsewhere the weight of his explanation. In Chatham, Dr. Salomon sees not merely the illustrious father of a still greater son. He was the founder of a political, as Adam Smith was of an economic, system which together formed the basis of Pitt's public career. The author accordingly after sketching, in the first chapter, the history of Pitt's family and youth to the death of Chatham, compares, in the second (pp. 39-111), the political doctrines of Chatham with those of Burke and of George III. Of these the last, a belated champion of royal absolutism, effected a puny revival of the old Tories; Burke, the versatile apologist of parliamentary absolutism and party government, became the regenerator of the old Whigs; while Chatham, who professed to be above party, founded in the end a new Toryism.

The germ of Chatham's political system was his theory of the laws. In his view, these were not, as was held by Burke, an arbitrary growth of rights based upon prescription. They were the masterpieces of the human reason, invested as such, in their constitutional forms, with an authority almost sacred. The Revolution of 1688 Chatham held to be not a mere defeat of the King nor victory of Parliament. It was a triumph of the law, and the puppetdom to which the Whigs, from a contrary belief, had depressed the throne under the first and second Georges, was a breach of the constitution. But the touchstone of his as of all political doctrine of the time lay beyond these domestic problems, in the American question. With respect to the colonies the King asserted both the right and the expediency of arbitrary taxation. Burke denied the expediency, but, true to his Whig partiality for parliamentary absolutism, he asserted the right. Chatham denied both. The King's American subjects, Chatham held, stood in the same relation to the constitution as did their British brethren: under it they could not be taxed arbitrarily, from it they could not withdraw. With Burke then, the resistance of the colonies was illegitimate but excusable; and once they had established a *de facto* independence, there was nothing in his theory of the law to justify an effort at reconquest. History had simply taken a turn which he was prepared to register. With Chatham, the resistance was legitimate, the secession was not. The constitution violated by the King and Par-

liament was still binding upon offender and offended, and for its maintenance in America Chatham would continue a struggle almost hopeless.

Thus does the author harmonize Chatham's attitudes at various stages of this conflict. The political consistency of that statesman indeed he vindicates throughout against the criticism of Macaulay and Lecky. Between Chatham's political and economic views he finds on the contrary a want of harmony. A reformer in the political, Chatham was, in the economic sphere, like his Whig opponents, a mercantilist. Burke, oddly enough yet not inconsistently, disagreed on this point with his party, and developed within it more liberal economic views. Pitt, being forced to look elsewhere than to Chatham for an economic mentor, found this in Adam Smith who, in a work unsystematic in itself, expanded the teachings of Child, Davenant, Tucker and Hume into the new economic system based, in its philosophy, on Locke, Shaftesbury, and Newton. A discussion at large of this system and of that which it displaced is, in connection with the contemporary social and economic development of England, the theme of the third, concluding chapter. It closes with this observation: while the old Tories, out of opposition to the Whig aristocracy, made the first attack upon the old economic system, the theory of the new was first perfected by Whigs of the Burke school, amongst whom is Smith; but those theories were applied in practice by none of these; they were the complement, on the economic side, of Chatham's political system, and as such were they adopted and applied by the new Toryism founded by Chatham and called to power, when the loss of America had humbled the King and tempered his ambition, in the person of Chatham's son.

Dr. Salomon is an investigator, of independent judgment, who, in the effort to exhaust all available material, has pursued even single letters in private hands. There is in his work depth of thought and brilliance of idea: there is also a want of clearness enhanced by a style difficult and diffuse. That he has at points wandered somewhat far afield, he himself seems not altogether unconscious. His manifest purpose is not merely to narrate the incidents of Pitt's life, but to illustrate, by a political biography the rôle of Pitt in English history. The measure of his success is still uncertain. To estimate it by the portion of the work before us would be to judge a mansion by its threshold.

H. M. BOWMAN.

*The French Revolution and Religious Reform.* An Account of Ecclesiastical Legislation and its Influence in Affairs in France from 1789 to 1804. By WILLIAM MILLIGAN SLOANE. (New York: Charles Scribner's Sons. 1901. Pp. xxvii, 333.)

THE importance of the subject treated in this volume will be acknowledged by all students of the French Revolution. The Old Régime was so thoroughly ecclesiastical that it is a matter of some surprise that the fortunes of the French church should have so generally been treated as a secondary matter. Of late years this want has been remedied to a con-



siderable extent by French monographs, but Professor Sloane's work meets a want in the English literature dealing with the Revolution. We are, however, inclined to feel that he has obscured the real issue between ecclesiasticism and the party of "philosophy" when he says (p. ix) that "the mightiest obstructive force was ecclesiastical fanaticism both positive and negative"; for in order to justify this statement he is obliged to regard "the deism and the atheism of the 'philosophers' as religious forces for the purpose of our discussion." Fortunately, however, the confusion of definitions does not extend beyond the preface, and the book as a whole discusses the fortunes of the Ultramontane party and the non-juring priests under the various revolutionary governments.

Professor Sloane's sympathies are steadily with the church, even if not always with its representatives. Occasionally they lead him into rather turgid rhetoric if, indeed, not into an actual loss of historical impartiality. The burial of Voltaire marks a time when "the broad highway to blasphemy and scandal was thenceforth opened wide, and thousands thronged to enter it." After September, 1793, "the course of the sovereign assembly was a swift descent to hell, in which every type of extreme fanatic heathen took his turn at the helm and was swept into perdition to make room for another, until the engulfing maelstrom was reached and the faint hearted, shallow [lean and bilious, p. 199] Robespierre sounded the alarm" (p. 195).

Nor is Professor Sloane to be reckoned among those historians who attempt any serious appreciation of the Terrorists as political theorists or as administrators. The September Massacres he regards as (p. 190) "virtually legal," and "the pleas for the Convention so constantly reiterated" he holds to be "all alike pitiful—all except one: it was the incarnation of energy." The Convention was "revelling in political and religious massacre" and "gorging itself in the dismembered limbs of the social organism" (p. 196)—and this notwithstanding the statements of its accomplishments in page 225.

Yet if we are obliged to differ with the author's interpretation of the political side of the Revolution we cannot fail to appreciate his sympathy with the non-juring priests, his exposition of the motives and doings of ecclesiastical parties, and the nicety with which he estimates the actual influence of the church as an institution upon the course of events. Especially happy is his recognition of the complications arising from any dependence of the Church upon the State (p. 160) and his treatment of the indecision and insincerity shown by Louis XVI. in his treatment of the questions involved in the civil constitution of the clergy. Perhaps the most satisfactory treatment of the volume, however, is that accorded the Concordat. Whenever Professor Sloane touches upon Napoleon his treatment is firm and illuminating.

As a whole, despite a certain vagueness of arrangement, the volume is a serviceable addition to the literature of the Revolution. Less a narrative than a commentary upon facts assumed to be known, it brings



into truer perspective the potent ecclesiastical element in history which so many non-theological writers seem disposed to ignore.

SHAILER MATHEWS.

*Robespierre: A Study.* By HILAIRE BELLOC, B.A. (New York: Charles Scribner's Sons. 1901. Pp. xiii, 387.)

FROM a literary point of view, Mr. Belloc has written a most attractive book. While not in sympathy with Robespierre, almost wishing, he tells us, when the work was done, "that instead of wandering in such a desert" it had been his task "to follow St. Just and the wars, and to revive the memories of forgotten valour," yet he has seized upon the essential traits of Robespierre's character and constructed a remarkably clear-cut portrait of the man. He has a keen sense for dramatic situations and knows how to make the most of them, not infrequently more than the evidence would seem to justify.

Artistically the work is a success; scientifically, I fear that it is not. Mr. Belloc realized "that such an attempt at vivid presentation carries with it a certain suspicion when it is applied to history," but added that the details that he had admitted could be "proved true from the witness of contemporaries or from the inference which their descriptions and the public records of the time permit one to draw" (p. xii). If this were really true, if all the details in the book rested on reliable evidence, the work would be as sound scientifically as it is attractive artistically. Unfortunately, it is not true. Mr. Belloc is more artist than historian. An exceedingly active subconscious imagination is not kept sufficiently under control. He takes the work of the historian too lightly, displaying a lack of patience and precision in the study of facts. That he "disclaims research," that he adds nothing to what Hamel has told us of the details of Robespierre's life, is in no wise discreditable, but none of these things justify inaccuracy. Mr. Belloc is inaccurate. I should hesitate to make use of any statement of fact contained in his book, before I had carefully verified it. Moreover, he either consciously states more than evidence permits, or he is unable to draw the line between fact and fiction. I shall cite but one example among many of the overstepping of the bounds between historical science and historical romance. After describing the origin of the Breton Club, Mr. Belloc writes: "This 'Brutus club' Robespierre of course joined. But he was not content with joining only. He was careful to be among its earliest arrivals, he was present at its least-attended meetings" (p. 81). Here are three affirmations; the first is a very questionable inference, the second and third pure fiction. (See Aulard, *La Société des Jacobins*, I., pp. ii-xviii.)

An excellent illustration of the inability of Mr. Belloc to handle evidence seriously is furnished by his treatment of the question of "Robespierre's Supposed Attempt at Suicide" (Appendix, note iii.). Compare his work with Aulard's treatment of the same subject (*Études et Leçons, Première Série*, pp. 282-300). Mr. Belloc evidently found his evidence in Aulard's study, but note how he has disfigured it in work-



ing it over. On a par with this is the citation of the list of members of the Jacobin Club printed in December 1790 to show the composition of that club in August 1792 (p. 194). A long list might be made of the inaccurate statements contained in the book. One of the most amusing is the assertion that Brissot "was childless and satisfied with power alone" (p. 167). When Brissot was guillotined in 1793, he left three children behind him! (*Mémoires de Brissot*, I. 15.)

Mr. Belloc's translations of Robespierre's speeches are very free, sometimes so free that they are not true to the original. The not infrequent assertion that he "will" believe this or that is devoid of meaning in a historical work; his flippant manner in calling Lafayette a "noodle" (p. 188) and some of his witnesses "liars" is not indicative of good taste, to say the least. Why call the National Assembly a "Parliament" when that term meant a high court of justice in the France of 1789? Finally, Mr. Belloc is not always careful in placing the French accents. Bo should be Bô; Réclus, Reclus. Throughout the book, he writes Herbert in place of Hébert.

The book suggests a psychological problem; is it impossible to combine scientific accuracy with a vivid imagination and unusual talent in the portrayal of character?

FRED MORROW FLING.

*The Writings of James Monroe.* Edited by STANISLAUS MURRAY HAMILTON. Vol. V., 1807-1816. (New York: G. P. Putnam's Sons. 1901. Pp. xvii, 390.)

IN our review of Vol. IV. (*AMERICAN HISTORICAL REVIEW*, VI. 596), the apprehension was expressed that the fulness with which Monroe's correspondence down to the end of 1806 had been printed would have to be compensated by disproportionate brevity in the more important period which was to follow. The present volume shows that this fear is beginning to be realized. Four of the ten years which it covers—1807, 1808, 1811 and 1814—were years of great consequence in the life of Monroe and in the history of his relations with the government of the United States. Yet the correspondence of these ten years at the Department of State is represented by a selection not much more than half as ample as that which was used to illustrate the years 1803-1806.

All but about twenty of the letters came from the source named. Of the remainder, the most interesting is the remarkable letter (pp. 53-63), reprinted from the *Bulletin of the New York Public Library*, of February, 1900, in which Monroe gives instructions and suggestions to a member of his Virginian "campaign committee" of 1808, and which shows, more satisfactorily than anything else which has hitherto come to light, the exact extent to which he then went in aspiration after the presidency. Few specimens of the public correspondence are given, whether with Canning in 1807 or with our ministers abroad and the envoys at Washington after Monroe became Secretary of State. An exception is the well-known letter of July 23, 1811, to Augustus J. Foster.

This is printed in an appendix. In this appendix appear a number of other letters which, so far as the present reviewer can see, might better have been inserted in their chronological order in the body of the volume. Another anomaly of the arrangement is that five letters of 1806 are given, where they would hardly be looked for, in the foot-notes to pp. 39-46. There is an almost entire lack of explanatory foot-notes. In a considerable number of instances, the "lower critic" suspects misreading of the manuscript; at least he perceives that, where the word used makes no sense, one which in handwriting looks like it would make the sentence rational.

But there is a great deal of excellent and interesting material in the volume; more perhaps than in any of those which have preceded. Monroe, now become one of the principal personages in the United States, writes better letters; and the transactions have not been so fully illustrated as his diplomatic career abroad has been, by documents in the *American State Papers*. Mr. Henry Adams, to be sure, has made extensive use of the Monroe MSS., and with his usual firm grasp has seized upon the most important letters. But he has printed only brief extracts. It is far more satisfactory to have the full texts. This is particularly evident when we try to follow the process by which Monroe, coming home at the end of 1807 with a very injured feeling about his rejected treaty, and put forward in 1808 as an opposition candidate against Madison, gradually becomes reconciled to the administration, and finally is persuaded to share the latter's fortunes. Placed in a difficult and delicate situation, he walked with firmness and self-confidence the narrow path which he marked out for himself. He felt that he had been ill used by the administration, and he dissented widely from its policy. On the other hand, as he well shows in long letters to Taylor and Tazewell, to lend himself to Randolph's schemes would only disorganize the party and help the Federalists. It is evident that, after five years spent in Europe, the simon-pure doctrines of 1798 had ceased to be Alpha and Omega to him. He had become a practical statesman, not separated by any generic difference from the Jefferson and Madison of 1808. He was readily persuaded that Jefferson had meant no harm to him personally; perhaps more readily than the facts warranted. The offer of a Baratania in Upper Louisiana, and the resignation of W. C. Nicholas a few days later, so timed that Monroe could not possibly succeed him in Congress (pp. 104, 109-113), have a disagreeable look when conjoined; "the hand of Joab is in this thing." Monroe was not without suspicions; but at fifty he was also not without patience, and he did not repeat, in anything like the same form, the experiment of a View of the Conduct of the Executive. By 1811 he had become indispensable, and he had done nothing to make himself impossible. But a man of acuter sensibilities would not have asked for another mission to France and England in January, 1809 (pp. 90, 93).

The letters of the year 1814 are distinctly under-represented in Mr. Hamilton's selection; but he has printed in his appendix Monroe's



narrative of his official conduct in connection with the invasion and capture of Washington.

J. FRANKLIN JAMESON.

*The Nineteenth Century: A Review of Progress.* (New York: G. P. Putnam's Sons. 1901. Pp. x, 494.)

It is sometimes not a bad thing for a review to be delayed, much as the publishers dislike it; it gives one a little more perspective. The present collection of seven and thirty papers, by many well-known names, on divers aspects of the century just ended, first appeared, I believe, in the columns of the *New York Evening Post*, in the opening days of 1901. It is one of the best of the numerous attempts of journalistic enterprise to secure a sort of co-operative stock-taking of nineteenth century "Progress." Much of the writing is so good that it was quite worth while to reprint it in book form; and the volume will continue to deserve for some time a place in the library. But it will perhaps be as interesting to future readers for the light it throws on the state of mind of people in the winter of 1900 as for the information it gives on the movements of the preceding hundred years; and even thus early there are some things the authors would not put down if they had to write now. Even Mr. Sedgwick would hardly observe to-day that "the land question in Ireland has been disposed of" (p. 39).

To criticise adequately each of the articles in this volume would demand encyclopædic knowledge and unlimited space. All that can be done is to notice some characteristics of the collection as a whole, and to refer to a few of the articles of especial interest.

Perhaps it would be unfair to comment with any severity upon the omissions. The writers were necessarily a scratch team; and many a good article must have been lost to the rival importunities of other journals. Still the present collection is extravagantly lop-sided. Religion, for instance, is only represented by a paper of Mr. Leslie Stephen's on "Evolution and Religious Conceptions," in the section headed "Education and Science"; and the reference to Biblical criticism occupies just three lines. There is not a single article on United States history; and he would be a very careful reader who managed to discover from the volume that there had been a great civil war in that country. Russia and Germany have articles to themselves: but France and Austria-Hungary and Italy are omitted from the survey. China and Japan are slightly touched upon: India is disregarded. Mexico occasions an appropriate rhapsody, and Canada's merits are presented by Sir John Bourinot; but Australasia and South America might have no existence for all the reader would gather to the contrary. The side of political history is one on which the volume is conspicuously weak in quality as well as in quantity. It is hard to find any excuse for a writer who can assert that in England "the crown has remained in control of foreign affairs" (p. 41): one can only recommend a course of the *Daily Mail*. And the courage of that other writer who can discourse upon "The Immutability of the

American Constitution," in the year of grace 1900, calls for surprise and not imitation.

If political history is weak, economic history is in even worse case. There is an *omnium gatherum* of geographical conquests, gold standard, steel manufacture, libraries, life assurance, and the status of woman, under the section-heading "Sociology"; and, by the by, this journalistic use of "Sociology" will itself be significant to the future historian of thought. But the transformation of industrial processes, the concentration of manufactures, trusts, trade-unionism and socialism,—machinery in agriculture, the new sources of grain supply, the effects of this on the old lands of the New World as well as of the Old,—of all this there is hardly a word.

But once one realizes that to call it "a review of progress in the chief departments of human activity" is simply a bit of advertising exaggeration, one can recognize that there are a good many excellent papers in the volume. One of the most striking is Mr. Carnegie's on the development of the steel manufacture in the United States, with its prophecy that the age of Bessemer steel is on the point of being succeeded by an age of Siemens. It could be wished that there were also an article on iron in the first three quarters of the century: "there lived brave men before Agamemnon." Mr. Finck's article on the musical century and Mr. Kenyon Cox's on painting are broad and illuminating *aperçus*; Dr. Billings gives cause, if not for optimism, for a sensible "meliorism" in his account of the progress of medicine: and Principal Lodge shows us how, in spite of all appearances to the contrary, the physicist is making his way through "Matter" and coming out at something remarkably like "Spirit." In other fields President Hadley and Mr. Midgeley provide valuable reviews of railroad development. If the advocates of railway nationalization are daunted by Dr. Hadley's judgment that "the results of government ownership are not greatly different from those of private" (p. 452), the remark will be equally surprising to those who have been accustomed to regard the President of Yale as a champion of "private enterprise." And, finally, Captain Willcox, of West Point, discourses on changes in military science in a way that is certainly instructive, but also shows that he had not had time to digest the recent lessons of South Africa. Most of the other articles can be passed over without special remark. Many are out of scale; but all present information in a more or less convenient form; and some have ideas.

W. J. ASHLEY.

*Modern Europe, 1815-1899.* By W. ALISON PHILLIPS, M.A.  
New York: The Macmillan Co. 1901. Pp. xii, 575.

MR. PHILLIPS has written a very good book but also a disappointing one. The goodness lies in what he has put into it, the disappointment in what he has chosen to leave out. "I have been forced," he says, "by lack of space to confine myself strictly to political history, to the neglect of those forces, economical, social, and religious, in which the



roots of politics are necessarily set." To this decision no reasonable exception could be taken had not the author further limited the scope of his work by interpreting "politics" as international politics and confining his attention to the external history of the states of Europe. He has dealt, as Fyffe has done, with those diplomatic and other questions that "show how the states of Europe have gained the form and character" which they possessed in 1899, and how a "Confederation of Europe" has been created. This part of the subject Mr. Phillips has treated with candor, skill, and accuracy, and his work furnishes the fullest and most reliable account, available for general reading, of the political history of modern Europe on the diplomatic side.

While recognizing the unmistakable merits of his book, we must say that the restraints which Mr. Phillips has placed upon himself are much to be regretted. Possibly conditions of time and circumstance have had something to do with this, for he has chosen the easier task. So well, however, has he done what he set out to do that it is a pity, considering the needs of his readers, that he should have stopped short of the more perfect work. In his preface he implies that such a limitation of his field was unavoidable. I do not think that anyone reading his book will agree with this contention. Masses of detail connected with the Greek and Belgian revolutions, with the Spanish and Portuguese civil struggles, with the activities of Mehemet Ali, and in general with the diplomatic manœuvres of the period from 1850 to 1871 might have been omitted with no such loss to the reader as is entailed in the omission of some of the epoch-making events in the history of the individual states. A different arrangement, combined with compression at some points and elaboration at others, would have enabled him to deal with questions of internal history without regard to their influence on the foreign complications. Such rearrangement, involving in no way a recasting of the work, would have made room for a discussion of the reform movement in England, the socialistic agitation in France and the rise of social democracy in Germany, the emancipation of the serfs in Russia, the industrial and commercial expansion of recent years, and other similar phases of European history that are of more importance in a work on modern Europe than are the petty political and dynastic quarrels of the smaller and even of some of the larger of the European states. This one-sided treatment has rendered the portions of the work that deal with the last thirty years particularly unsatisfactory because they do not in the least indicate the real forces at work during the period.

For these reasons we are forced to say that although Mr. Phillips has made an important addition to the small stock of good books on the nineteenth century he has not furnished the history that many expected him to write. The field is still open to anyone who desires to produce a good text-book covering the period since 1815.

There are some evidences of haste in the composition of the work. The word "hurry" is written all over the last sixty pages; the bibliography is noticeably incomplete and is inaccurate in the titles of some of

the works listed, while the latter are given without dates, editions, or the names of publishers. In the text there are a number of errors and many crudities of style. "Genua" should be "Genoa" (p. 8); "Grégoire" was not a regicide (p. 83); the Count of Artois was not childless (p. 85); *Comitati* is not Latin (p. 243); the *Ausgleich* is renewable every ten, not every seven years (p. 447); there is no chancellor of the Austrian Empire (*ibid.*); "eight years" on page 356 should be "five years"; the treaty of the Straits was signed in 1841 not in 1842 (p. 230); while there are many who will not agree with Mr. Phillips when he says (p. 526) that the peace of Europe to-day is founded on fear, or that France has gained nothing from the Dual Alliance. An Englishman, whose countrymen are ever ready to fasten on America responsibility for journalistic style, should not have been guilty of such expressions as "nigh on a century," "choke-full of prejudice," "a snatch victory," "brainspun fogs," "whilom governing classes," "in a huff"; while "forthrightness," "averse from," "functioned," "to treat with the king direct," are not English at all. On page 415 is a group of sentences made up of a wonderful compound of "shes" and "hers." Apart from these slips the style is not unattractive.

CHARLES M. ANDREWS.

*Two Wars: An Autobiography of General Samuel G. French.*  
(Nashville, Tenn: Confederate Veteran. 1901. Pp. xvi, 404.)

THIS is a well-written volume, full of interest, abounding in incident, and friendly references to many of the most distinguished officers both of the Mexican and the Civil War. It is graphic in its descriptions of battles and its portrayal of conditions in the south at the outbreak of the Civil War, during that war, at its close, and throughout the Reconstruction period. The chapter on West Point and Army Post life, and those on the war with Mexico are presented in an entertaining style. The author was a northern man, and a West Point graduate. He left the army a few years before the war and settled in Mississippi. At its outbreak he entered the Confederate army and became a division commander. He was an excellent soldier.

His book, however, is that of one who has not progressed with the times, who shares the heated views of 1861, who sneers at "Yankees," who, while proclaiming himself loyal to the Constitution, citing as good proof of it that he offered his services in the war with Spain, still believes in the right of secession. In these respects it is a pernicious book, its teachings are those of a dead past, and wholly out of tune with the living, progressive, promising and united present. His volume opens with the dedication to wife and children, and to the confederate soldiers "who battled with the invading foe to protect our homes and maintain the cause for which Oliver Cromwell and George Washington fought." Its concluding chapter contains this opinion: "Appomattox terminated the war only—it was not a court to adjudicate the right of secession—but its sequence established the fact that secession was not treason nor



rebellion, and that it yet exists, restrained only by the question of expediency."

If General French had published his volume while the leading Confederate commanders were alive he would have been kept busy with his controversies during the rest of his life. He sneers at Governor Pettus, of Mississippi, ridicules Bishop Polk and his staff; charges Hardee with the "deliberately planned trick" of putting him, French, "where he was subject to a reverse fire of artillery from the enemy"; and makes continuous and sustained attacks on Hood. He quotes frequently from the *War Records* volumes, showing that he had access to them, but does not hesitate to neglect them at times. For example, he gives the Confederate loss at Kenesaw as 552, and says: "What the Federal loss was I do not know, but it is estimated at from five to eight thousand." These figures he emphasizes by italics. The *Records* show the loss to have been 2,500.

His accounts of battles are vivid, and not only full of interest but valuable through the presentation of a mass of incidents which make most attractive war pictures. The frequent and lengthy quotations from a well-kept diary extending through the war are of importance historically. It is to be regretted that this diary could not have been obtained and published in full in the *War Records* series. As an evidence of its completeness, the portions quoted in the present volume would have filled over fifty pages of the government publication. The complete diary would have presented lively passages for every day of the war concerning the most striking features of each day's operations by a trained soldier who at the same time was a close observer. The attack on General Hood for his Tennessee campaign is the most severe yet published from the Confederate side.

A northern man himself he indulges in somewhat too frequent flings at Yankees, and emphasizes his contempt by the new and striking phrase of "colored Yankees" as applied to negro soldiers. Still it was perhaps necessary for him to be extreme in this direction since General Joseph E. Johnston, when French was ordered to report to him, wrote to President Davis that as General French was of northern birth his arrival would "weaken instead of strengthen us."

While the volume is interesting, well-written, and breezy throughout, and contains new, and doubtless reliable details on many historical points, its value to the general reader, who has not the means at hand to test its statements, will be much diminished by the ridiculous positions of the appendix, which seeks to show by figures that the northern army was largely foreign; that with foreigners, and whites and negroes from the South, the North had "a force 350,414 stronger than the whole Confederate army, without enlisting a native born citizen of the north, also that the south furnished the north 455,414 men." There is much in the appendix of fifty pages as worthless as this. In addition to its many merits, it possesses special value from the fact that it so recalls the gloom and bitterness of the old time as to serve by contrast to make the cheer and brightness of the present brighter still.

H. V. BOYNTON.



*Lincoln's Plan of Reconstruction.* By CHARLES H. MCCARTHY, Ph.D.  
(New York : McClure, Phillips and Co. 1901. Pp. xxiv, 531.)

HOWEVER small the difference may often be, there is nevertheless a distinction between the military and the political success of a war ; and Mr. McCarthy shows in the book before us that Lincoln recognized this distinction and had a lively realization of the possibility that he might haply fail of the latter even though securing the former. Not only must the forces in arms against the national government be suppressed, but new state governments must be reconstructed in the revolted land which would rule there in harmony with national ideals.

Three chapters of Mr. McCarthy's book are devoted to the reconstruction of Tennessee, Louisiana and Arkansas upon the President's initiative and one to the reorganization of western Virginia upon the voluntary initiative of the loyal citizens. The sketches are amply full to show President Lincoln's purposes and methods and to disclose the obstacles which justified his anxious watchfulness over the process. But an intense study of Reconstruction from the standpoint of the governors and the people governed is not made. The necessity of incorporating the abolition of slavery into the reconstructed governments is an idea that grew upon the President and the fifth chapter traces its development. The five chapters that follow exhibit the lack of co-operation, even the opposition, between President Lincoln and Congress, culminating in the veto of the Wade-Davis Bill and the refusal of Congress to recognize the states which the President had reconstructed. The summary of the debates in Congress, which constitutes the bulk of these chapters, is skilfully made and lucid. The author holds that "the legislative branch of government was the authority least objectionable for controlling the informal changes in the nature of the Union" (p. 470). The eleventh chapter shows the bearing of the Hampton Roads conference and other incidents of the war upon Lincoln's work of reconstruction. The twelfth and final chapter brings the sketch down to the opening of the Thirtieth Congress in December, 1865, when President Johnson had ceased to declare "that 'rebels' must take a back seat in the work of restoration" and "had come to believe that 'the people must be trusted with their government'" (p. 463).

A study of the "character of the reconstructed governments as well as the spirit and tendency of their legislation" is deferred in the belief that it "belongs properly to a treatise on Congressional reconstruction, a theme to which this essay is only introductory." Thus the book as a whole purports to be but the introduction to an unwritten volume, albeit a bulky introduction that has cost great labor and pains, and that, on the points which it covers, will save much labor of research to students in the same field.

But the reviewer feels justified in suggesting that this self-imposed limitation constitutes a defect in the scope of the book ; that it should be completed by a thorough study from local sources of Presidential Reconstruction down to 1865 in the states where it went into operation ; and



that the history of Tennessee should be continued down through the election of 1869. Tennessee was reconstructed by President Lincoln, Governor Johnson and Governor Brownlow and was recognized by Congress in 1866. Under the Brownlow régime the disfranchising acts were severe and the government was in the hands of unquestioned Unionists. But in 1869 the majority of the white citizens of the state by hook and by crook took possession of the state government. The reviewer is of the opinion that such a study would reduce Presidential Reconstruction to a dilemma: either government of the southern states by a very few of their citizens, satisfactory to the powers at Washington, unendurable to the majority of the citizens and leading to revolution; or government by the majority of the citizens, satisfactory to the ruling class, unsatisfactory to the powers at Washington and provocative of bitter feeling and national interference with local affairs. Congressional Reconstruction would surely reduce to the same dilemma. If the point is well taken a book which omits discussion of this phase of the question, difficult, elusive, and delicate as it may be, is open to the criticism of incompleteness.

FREDERICK W. MOORE.

*Zur jüngsten deutschen Vergangenheit.* Erster Ergänzungsband. Von KARL LAMPRECHT, Professor der Geschichte an der Universität Leipzig. (Berlin: R. Gaertners Verlagsbuchhandlung. 1902. Pp. xxi, 471.)

PROFESSOR LAMPRECHT'S *Kulturgeschichte* is naturally not so well known in America as in Germany where to speak of it is to invite controversy. So a word about his method and point of view, even in so short a notice as this, can not be out of place. Lamprecht accepts evolution as a fundamental fact. He writes history accordingly. In the introduction of the volume before us, he says (p. x): "the greatest sin of the historian of to-day is the piling up of facts based on poorly digested materials. Of such works we have enough and to spare; indeed we are about to be buried beneath these uncritical productions. To bring out of the chaos of evidence and the heaps of books a simple, straightforward account of the historical phenomena of our time has been my steadfast purpose." It is not his plan, then, to give notes and references. So we need not expect to find the text standing high upon a bridge of foot-notes and citations. He says history has to do with the total "soul-life" of a people and not simply with the political events of national development. He divides German history into four periods: conventional soul-life—*Urzeit* and Middle Ages; individual soul-life—Modern Times to 1789; subjectivism—Recent Times (1789 to 1870); and the present day (1870–1902)—*Reissamkeit* or something like nervousity (pp. vii–viii). This plan has been about half completed. From 1890 to 1895 he published the *Deutsche Geschichte* in six volumes which brings the narrative down to 1648. Since 1895, Lamprecht has been the object of attack from all sides. The Ranke school, strongest perhaps in Berlin, has felt itself much aggrieved that Lamprecht should have cut loose from all the ties of tradi-



tion and pursued a new and untrodden way. A Lamprecht school, with Leipzig as a storm center, has arisen and to all appearances it has won in the fight for *Kulturgeschichte*. Here has been a veritable battle of words and not a little "mud has been thrown." Lamprecht himself ceased his writing to defend in magazine and pamphlet the principles he had laid down and carried out in the *Deutsche Geschichte*. About one thousand articles and pamphlets for and against Lamprecht have appeared during the last half dozen years.

Since the contest seems to be won, Lamprecht has taken up his work again, though not at 1648 where he left off, but at 1870. He gives us *Zur jüngsten deutschen Vergangenheit* in two volumes, of which Volume I. is before us. The period of 1648 to 1870 he leaves untouched, promising to fill out the blank at an early date. An outline of the subjects treated in this last volume of the *Deutsche Geschichte* and some emphasis of the method pursued is all that can be attempted in this review.

The volume is divided into four books: music, painting and sculpture, poetry, and *Weltanschauung*; that is, a description of the forces and influences now most visible in any large German city. The subject rightly begins with music and with Richard Wagner as its representative figure. Wagner is certainly a phenomenon of recent art-history and Lamprecht includes all branches of intellectual activity in history. In this first division of his subject the author traces the development of music from the simple battle song and church chant of medieval Europe to the complex *Götterdämmerung* of our day. Bach is the last of the medievals and the first of the moderns; Gluck begins and Beethoven closes the so-called classic music; Weber, Spohr and Schumann are the great romanticists; and Liszt prepares the way for Wagner. Then he reviews rapidly Wagner's development up to his masterly poetic tragedies in sound and measure. And here Wagner is shown to be a product in part of Schopenhauer; he is akin to Nietzsche, and to Carlyle and Ruskin. The influence of the great German pessimists on the music of our day is clearly shown. No one can read this chapter without desiring to hear the *Nibelungen Ring* again; nor can a reader of Lamprecht hear a Wagnerian opera without feeling that the historian has looked deep into the sources of our art-life.

The second subject with which this volume deals is *Bildende Kunst*—painting and sculpture; and after reviewing rapidly the foreign schools of painting and sculpture, it traces the gradual change in Germany from the formalism of the early years of the last century to the physiologists of Düsseldorf and Munich, to the pessimist-naturalists—Boecklin and Klinger—to the impressionists who at present have such a hold on art connoisseurs of Europe. Seffner's bust of King Albert of Saxony is given as the best piece of statuary done after the physiological-impressionist school of the eighties. Wiedermann and Maree are given as masters to be classed with Seffner. In the third book, poetry and the drama receive equally critical attention. The development of the realist school from Hoffmann, Auerbach and Sternbach to the later *antibürger-*



liche school which prepared the way for the real masters of German literature of the present, Hauptmann and Sudermann. And these are close akin to Zola and the French realists.

But Lamprecht is at his best in Book IV. where the *Weltanschauung* of the representative men of the present is the subject. He is himself a philosopher, a friend and co-worker with Wundt. According to Lamprecht, Nietzsche's influence pervades the music, the art, the literature in part of the last two decades (p. 409). Tracing the changes from Kant to Fichte; from the semi-psychologists of the second decade of the nineteenth century to Hegel, from Hegel to Schopenhauer (the fashion of the fifties and sixties), he comes to the strange half-poet philosopher, who has gained such wide-spread following during the last fifteen years, the mad philosopher of Naumburg, Nietzsche. Nietzsche was influenced by Darwin, by Schopenhauer, but he rid himself of the pessimism of the latter before his work was interrupted by madness. His *Weltanschauung* is that of the majority of the better classes of young men in Germany. Its backbone is the inequality of man; that man must find himself and find opportunities for self-manifestation even at the cost of life to his weaker fellow. There is no dead level in the physical world; there is none in the intellectual, the spiritual (pp. 410-411). Wundt, "the greatest philosopher since Kant," represents the culmination of philosophical evolution—and experimental psychology is its fruit; it is at the same time the basis for all further advance. The categories of Kant, the idealism of Fichte and Schelling, the pessimism of the fifties are all superseded by Wundt. Wundt's work makes necessary the reconstruction of philosophy, the reconstruction of all non-physical sciences. History is one of these.

The mission of history, Lamprecht maintains, is to depict *das seelische Leben*, all intellectual activity (p. 81); not to portray great men as Giesebrecht has done, not to outline "the ideas of God among men" like Ranke (pp. 460-461). Heroes and hero-worship have small chance with Lamprecht. The hero does not exist except as a product of soul-movements among peoples. Such are some of the principal ideas brought out in this latest volume of *Kulturgeschichte*. Judging from Lamprecht's method in his previous work, it is to be expected that the second volume of *Zur jüngsten deutschen Vergangenheit* will outline the political movements of the last thirty years in Germany, which can not but be interesting.

Style is one of Lamprecht's strong points. He is never tiresome, never dry, full of illustration and oft surprising in the breadth and depth of his learning. His book reads like Green's *History of the English People*. He deserves to be read widely in America and the hope has been expressed that the *Deutsche Geschichte* which has been translated into Russian, which is now being rendered into French, may find a translator in this country.

WM. E. DODD.



*American Statesmen.* Edited by JOHN T. MORSE, Jr. (Boston and New York : Houghton, Mifflin and Co. 1898-1900. 32 vols.)

THIS handsome "standard library edition" is a reissue in uniform style, and with the addition of an index volume, of the well-known "American Statesmen" series. Now that the work is published as a whole, Mr. Morse is able to add, what he could not very well have added before, a general preface to the series and special introductions to certain of the volumes. The biographies are further grouped in five periods, those of Franklin, Samuel Adams, Patrick Henry and Washington forming the Revolutionary period, those of John Adams, Hamilton, Morris, Jay and Marshall the Constructive period, those of Jefferson, Madison, Gallatin, Monroe, J. Q. Adams and Randolph the period of Jeffersonian Democracy, while the period designated as "Domestic Politics: the Tariff and Slavery" claims Jackson, Van Buren, Clay, Webster, Calhoun, Benton and Cass, and that of the Civil War Lincoln, Seward, Chase, C. F. Adams, Sumner and Thaddeus Stevens.

In his brief general introduction to the series, the editor undertakes to explain the principle on which his selection has been made, and to illustrate it by brief comment on three or four typical names. The substance of what he has to say in his own defence, and, on the whole, the best characterization of the spirit of the series, is in these sentences:

"It has been the editor's intention to deal with the advancement of the country. When the people have moved steadily along any road, the men who have led them on that road have been selected as subjects. When the people have refused to enter upon a road, or, having entered, have soon turned back from it, the leaders upon such inchoate or abandoned excursions have for the most part been rejected. Those who have been exponents of ideas and principles which have entered into the progress and have developed in a positive way the history of the nation have been chosen; those who have unfortunately linked themselves with rejected ideas and principles have themselves also been rejected. Calhoun has been made an exception to this rule, for reasons so obvious that they need not be rehearsed" (pp. vii, viii).

It has been the intention to make this edition not only a new edition, but a revised edition as well, and two or three of the volumes have been materially changed in form. With a few exceptions, the remaining volumes show no very important changes beyond those of a literary character, such as a different turn of phrase or a new grouping of paragraphs, though of course only a line for line comparison would enable one to detect minute alterations. The new preface to Tyler's *Patrick Henry*, for example, speaks of "minute revision from beginning to end" and "numerous changes both in its substance and in its form," but a somewhat careful comparison of considerable sections of the two editions shows no very large differences, save the occasional use of new material traceable to William Wirt Henry's *Patrick Henry* and Kate Mason Rowlands's *George Mason*, and a few additions to the bibliography. Mr. Lodge is able to give a fuller and more modern statement of the Washington pedigree, in



accordance with the researches of Mr. Henry E. Waters. Mr. Morse's *John Adams* also stands as originally written, though in his preface the author states that further study has convinced him that the strictures which he has made upon Franklin during the period of the latter's stay in France, especially while Adams was with him, "are unjust in their severity, and give a false idea of the true usefulness of that able diplomatist at that time"; but the matter is allowed to stand, with this *caveat*, as "a fair presentation of the view held by John Adams himself, and which was often and vigorously expressed by him."

The most important changes in the new edition are in the volumes on Monroe, Jackson, Cass and Seward. For the revision of his life of Monroe Dr. Gilman has had the help of the calendar of Monroe's correspondence in the Department of State and the first volume of Hamilton's writings of Monroe, and from these sources he has been able to add a good deal to the personal representation of Monroe's opinions, besides re-enforcing many statements of detail. Most of the letters cited refer to Monroe's relations with Jefferson, and emphasize the intimacy between the two statesmen. On pages 177-179, by way of commenting on Reddaway's discussion of the origin of the Monroe doctrine, Dr. Gilman says:

"To me this discussion seems more important to the antiquary than to the historian; for if further research should establish beyond question the authorship as that of Adams, the fact will still remain that the President and not the secretary of state announced the doctrine. It was his official sanction which gave authority to the phrases, by whomsoever they were written, and lifted them far above the plane of personal opinions. Monroe spoke from the chair of the Chief Executive; and to him statesmen and historians have continuously attributed the doctrine. His official station, at a critical moment, gave to his words authority; and their pronounced acceptance by the people of the United States shows how accurately they express the sentiments of the people."

Of further changes in this volume, Professor Jameson's summary of Monroe's annual messages, which formed part of the appendix to the old edition, is here transferred as a chapter to the body of the book, and the bibliography by the same hand adds sections on the application of the Monroe doctrine to the Pan-American conference and the Venezuela-Guiana boundary.

Professor Sumner's *Jackson* embodies numerous changes in both substance and content. The author has had the use of the Ford collection of letters from Jackson to William B. Lewis, and makes frequent references to and quotations from them. Running over the pages one notes the addition of a long passage on the political issues between the Federalists and the Republicans (pp. 11-13), a new paragraph on Jackson's desire for the governorship of Orleans Territory (pp. 17-18), and additional matter about the New Orleans pirates (pp. 45-46), the executions at Mobile (pp. 52-53), the Louaillier affair (pp. 53-57), and the "*demos krato*" principle (p. 128). Former chapters 8-11 have been condensed into one, with considerable change of arrangement

but, on the whole, amplification and improvement of statement. There is also a fuller account of Jackson's life after 1837.

Professor McLaughlin's *Cass* shows a number of changes of form and some important ones of substance. The estimate of Hull is modified, the author "thinking that the statement did not make sufficient allowance for the difficulties with which he was surrounded, and that it did not sufficiently take into consideration the fact that to some extent he was the victim of an incompetent military administration" (p. vii). The account of Cass's re-election in 1849, when it was clear that Cass "no longer represented as he had done the growing sentiment of the Northwest," is somewhat expanded (pp. 265-266), and a note is added (pp. 356-357) in defence of the author's general estimate of Cass's character.

In Mr. Lothrop's *Seward* a materially different interpretation is given to Seward's famous letter to Lincoln of April 1, 1861, than occurs in the first edition. It was in this letter that, after suggesting that the President "demand explanations from Spain and France categorically, at once," a declaration of war to follow if the explanations were not satisfactory, and also "seek explanations from Great Britain and Russia, and send agents into Canada, Mexico, and Central America to rouse a vigorous continental spirit of independence on this continent against European intervention," Seward went on to hint that, if Lincoln was averse to such procedure, he himself would be willing to undertake it. Mr. Lothrop now states, on the authority of Mr. F. W. Seward, that Seward when he wrote the letter "knew not merely of the revolution in San Domingo . . . but also . . . that France and Spain were actively discussing schemes for invading Mexico and establishing a European protectorate there, also that Great Britain and Russia had been sounded on this subject"; and that he thought promptness and boldness the best means of breaking up the plans before they were matured. As for Seward's "suggestion of his readiness to assume further responsibilities, if called upon to do so," that, in Mr. Lothrop's opinion, "was simply a declaration of his readiness to be helpful in any way that he could, and was without any selfish or ambitious purpose on his part." The discussion is too long to quote, but the explanation is interesting and important.

The successive volumes of the "American Statesmen" series have been so thoroughly written about as they have appeared that little is left for a reviewer besides noting the chief points of difference between the old edition and the new, and estimating briefly the worth of the series as a whole. That the biographies have taken their place at once among the scanty list of "standard" works on American history, and that in their new form, though sold only by subscription, they will enter upon a new lease of life, probably goes without saying. It is a sound instinct, if not a completely developed one, that finds in biography the chief interest of history; for history, whatever else its subject-matter may be, does deal pre-eminently with men. Mr. Morse's great undertaking does not, of course, give a complete view of the period it covers, but it probably comes as near to it as any series of biographical studies can. It



would be idle to quarrel with the selection of names, for on the list as a whole no two authorities would be likely wholly to agree; but they are all notable names, and names inseparable from that "forward movement" which Mr. Morse has consistently sought to trace. Taken as a whole, the series shows careful editorial supervision and uncommon restraint, while in its clearness and accuracy of statement, its well-planned proportions, its avoidance of undue repetition and overlapping, and its distinct literary interest, its merits are not only everywhere apparent, but are in themselves decidedly notable.

No review of this edition would be complete without cordial reference to the index volume prepared by Professor Theodore Clarke Smith. The index itself is in two parts—an index of names, and a topical index to the contents of the series. The latter, while not rivalling in its detail the index which a single volume would contain, has the advantage of bringing together, in the place where the inquirer would be likely to seek it, the material scattered through all the volumes. So far as we have tested it, its entries are accurate and its selection of topics adequate. Following the index is a select bibliography, also topically arranged, and giving lists of the most useful books for the further study of the men and events treated in the series. Mr. Morse, in a happily-worded preface, voices his appreciation of Professor Smith's service in thus giving unity and value to the entire work, and those who use the volumes will certainly echo his words.

WILLIAM MACDONALD.

*The Life and Letters of John Richard Green.* Edited by LESLIE STEPHEN. (New York: The Macmillan Co. 1901. Pp. vii, 512.)

THE letters of the author of the *Short History of the English People* are full of that personal charm which constitutes the essential characteristic of an entertaining biography. His contagious enthusiasm, his wit,—though sometimes conscious and forced,—his devotion to hard work, all are strongly brought out in the letters, and serve in combination to attract and hold attention, as well as his firm conviction that in giving his best to historical writing he was performing his best service to his fellows. But for students of history, the main interest is inevitably in Green's own opinions, as expressed in familiar letters, upon the purpose and method of his *Short History*. The "Little Book" as Green always called it, had its inception in an early plan to write a history of the Church of England, a plan soon set aside, but inevitably influencing the character of the work actually performed. Thus religion and church organization were ranked with literature and social forces as of prime importance in portraying the development of the English nation. Green's championship of Freeman in the controversy with Froude, his expressed opinion that Froude had written "a history of England with England left out," increased his own tendency to depart from the customary grooves of historical writing, while his repeated sojourns in Italy resulted in the fixed belief that "drum and trumpet" histories for all countries must give way



to analyses of social and religious causes. He wrote to Freeman: "I think moral and intellectual facts as much facts for the historian as military or political facts"; and again: "Every word I have written in reviews and essays through the last ten years went to the same point, to a protest, that is, against the tendency to a merely external political view of human affairs, and to a belief that political history to be intelligible and just must be based on social history in its largest sense." The sudden cessation in his *Short History* of all literary comment after 1660 is justified by Green on the ground that after that date science and industry, not literature, stood in the forefront of national characteristics.

In method Green intentionally attempted the rôle of the story teller, being encouraged thereto by Bryce's opinion that a story was essential in all elementary works and that to do such work well was a distinct achievement. Bryce told him that "these little things must be done by big people, they are the most difficult things of all to do." Freeman, a friendly critic, objected earnestly to Green's imagination and to his habit of "personifying" events, as well as to the omission of exact dates. He seriously chided Green for writing that Château-Gaillard represented "the ruin of a system as well as a camp; from its dark donjon we see not merely the pleasant vale of Seine, but the sedgy flats of our own Runnymede." Green's reply was "Why on earth *did* you go to sleep when you might have had such a sight." Of another historical description, Freeman asked "where do you kill T. Seymour?" but Green did not care to kill him at all; he ignored him on the theory that "what we want in history is to know which are the big facts and which are the little ones." Green's own criticisms of his book, after publication, are all directed toward those chapters in which he deserted his favorite methods for the "narrative of events" style advocated by his friends. He considered his weakest work to be the chapters on Richard II. and the Wars of the Roses, a judgment in which all who have used the book as a text will instantly agree.

In general the letters given by Mr. Stephen will prove of great interest to students of history, for they are full of ideas on methods of historical research and historical writing, but there is little to attract the general reader. Green, if his letters constitute good evidence, was, in spite of the editor's statements to the contrary, conspicuously lacking in interest in contemporary events, or in anything in fact save his own particular field. The present volume is then chiefly of value for its illumination of Green's mental attitude, his purpose, and his methods in the study and the writing of history.

E. D. ADAMS.

*Essai sur Taine. Son Œuvre et son Influence*, d'après des Documents Inédits, avec des Extraits de Quarante Articles de Taine non Recueillis dans ses Œuvres. Par VICTOR GIRAUD. Deuxième Édition. (Paris: Hachette. 1901. Pp. xxxi, 311.)

PROFESSOR GIRAUD's excellent book is the outcome of a study of Taine begun over ten years ago, the first fruits of which were submitted,



in the form of a manuscript essay, to the master himself. Taine was naturally pleased and the encouragement he gave his young student stimulated the latter to the further study and research that resulted in the first edition of the present volume which appeared, if one may judge from the date of the long preface, in the autumn of 1900. While it was passing through the press, Mme Taine voluntarily placed the unpublished manuscripts, notes, and other papers of her husband in Professor Giraud's hands. Although this material confirmed rather than shook the author's confidence in the points of view he had adopted, it invited or necessitated much retouching of his book. In consequence we have this revised edition which is well worthy of the legend it bears: "crowned by the French Academy." It is equally worthy of the index one looks for in vain, but the analytical table of contents partly makes up for the deficiency. Its value is enhanced by appendices containing extracts from forty articles not republished by Taine, as well as fragments of the *Origines*, and certain condensed expressions of opinion about Taine's work proceeding from French and English critics. The student will be glad to have these appendices, which form about a third of the book, but will probably conclude with the general reader that Professor Giraud's own monograph scarcely needed their support.

The essay falls into four main divisions or very long chapters. The first gives a careful and subtle discussion of the history of Taine's thought and his books. It is fortified with elaborate foot-notes, which are often as interesting as the text, and it may be safely commended as a valuable study of the character and work of the great French critic and historian. It is also such a model of condensed yet thoroughly inclusive criticism, that one is led to believe that its prime value to the American student lies not so much in the contribution it makes to the literature that is growing up around Taine's work as in the critical and stylistic methods its author so successfully employs.

The long first chapter is followed by three shorter ones treating Taine as logician and poet and discussing his influence. These chapters are in their way as good as the first, and excellent also is the short "Conclusion" which enforces the main ideas brought out in the body of the book, to wit that while Taine was primarily a thinker and lived to think, he embraced too early an excessively simple system of thought by which he rashly attempted to explain practically the entire work of civilization, but that, whatever his limitations, he remains a very great writer and a still greater man. With these conclusions there will probably be no quarrel to-day, and it would require a very minute knowledge of Taine to enable anyone to take serious exception to the numerous special judgments passed by Professor Giraud. Perhaps in the chapter that discusses Taine's influence he is a little too complimentary to living writers, yet this is an amiable fault which might almost be esteemed a virtue in this country. Surely, however, few Americans would feel justified in referring to such an author as M. Zola with the contempt M. Giraud allows himself to express, not only because sound criticism does not demand it, but

because courtesy forbids it. This and a few other blemishes may be noted in the volume; but on the other hand it would demand considerable space even to mention the passages one is tempted to mark for approbation and rereading. Two of these may be indicated—the comparison of Taine and Renan (p. 100) and the ingenious discussion of the limitations of the theories underlying the famous *History of English Literature* (p. 123).  
W. P. TRENT.

*James Russell Lowell. A Biography.* By HORACE E. SCUDDER.  
(New York and Boston: Houghton, Mifflin and Co. 1901.  
Two vols., pp. x, 456; 482.)

STUDENTS and readers of American history, if they go beneath the mere surface phenomena of war and politics, will naturally turn with interest to the life of an American, who is now recognized as our leading man of letters, who was deeply interested in the character and the progress of his country, and who was strongly affected by its successes and its tribulations. We may naturally expect to find in the biography of Lowell new light on the anti-slavery movement and on abolitionism, and to understand better how the separation of the North and South affected a man of strong national sympathies who had been reared amid the peculiar influences of Puritanism. We may naturally expect to find here new material that will enable us to understand Southern Reconstruction and the national regeneration; we may hope to be able to see more clearly into the darkness of Grant's administration and the causes of the Mugwump defection, because we see and hear the comments of a clear-minded, clean-souled man upon the conditions of public life. But the reader of this new biography of Lowell will, in many respects, if not in all, be disappointed, when he attempts to obtain from the volumes new light on American history in any ordinary sense of the word. The writer did not seek to furnish material for the student, to treat Lowell as a type, to collect such words or catalogue such sensations as might enable the reader to weigh more accurately political motives or even the conditions of social progress. Mr. Scudder was pre-eminently interested in Lowell as a man of letters; was interested moreover not in his influence on others, but in the impressions made by friends, by passing events, by literature, by family misfortune on the mind and spirit of Lowell himself. Here indeed one finds a real biography; all the more real because it deals not with outward seemings or the mere trappings of life but with the actual man, who lay behind all that was merely phenomenal. It may well be doubted whether one can find anywhere in literature a more earnest or, on the whole, a more successful attempt to trace the growth, the modification, the gradual unfolding of the inner spirit of a poet.

That we do not get much new light on the important and critical occurrences in American history need, therefore, not surprise us. The important thing to Mr. Scudder was not the Mexican War and the annexation of Texas, not the accession of the southern states or the political significance of the affairs in England while Lowell was minister plenipo-



tentiary, not, in short, any of the things that one customarily finds in biographies of men who have played somewhat conspicuous rôles in public affairs. As a matter of fact, the duties that devolved on Lowell while minister, as far as they are treated at all in these pages, seem dragged in largely because the writer scarcely dared to leave them out; they are superficial, extraneous, and without significance in the unfolding of the man. A discussion with Mr. Blaine on the condition of Irish-American patriots in English prisons is interesting; but the reader is sure to feel with Mr. Scudder, as soon as he becomes submissive to the author's method, that such an event is a mere aside. If then the reader is sincere with himself and will agree to read these volumes in order to learn more about Lowell—rather than to do, as we are all accustomed to do, read a man's life in order to study something else than the subject of the biography—he will confess when the volumes are finished that he has read a masterly piece of work, written with finest and most sensitive appreciation, expressed in the best of smooth, vigorous, wholesome English, a book in which the author has dared—and dared successfully—to handle the most subtle matters with deliberation and nicety of judgment, and to weigh in the balances substances delicate and altogether impalpable for the unpractised hand.

There are, however, some portions of the volumes that will have special interest for the student of American politics. Notable among these is the chapter entitled "Lowell and the War for the Union." An editorial in the *Atlantic*, just before the outbreak of the war, deserves special mention. It is written in Lowell's best form; it is keen, direct, bold, virile, and, while expressed with the customary felicity of language, is devoid of the over-elaboration and the hypercritical care which sometimes seem to detract from the masculine vigor of his prose. In such writing as this we see the man and not the author; we see the original reformer and idealist who now was not content with picking phrases or compounding musical metaphors. Mr. Scudder, who it must be said is rarely fault-finding, suggests that the writing contains "that sort of coruscation of language which tends to conceal point and application," but the reader finds difficulty in agreeing with the criticism; the piece is vehement but natural; there is scarcely anything in the two volumes more real, unless it be the strangely pathetic words of composure, in which Lowell tells of the death of his nephew, Willie, on the battlefield, and the home-coming of the brave lad's body to the distracted mother. We get in these lines, that tell of this simple incident, a view of the Civil War that is not given us by long muster rolls or tabulated death losses that run into the tens of thousands.

One word of unfavorable criticism must, unfortunately, be said, and this adds rather than detracts from our estimate of Mr. Scudder's powers. He seems to have been placed at a disadvantage by the previous publication of Lowell's *Letters*, which were thus defended by copyright from being freely used for purpose of illustration or when it was desirable that Lowell should tell his own story. The author was obliged to quote in



some instances, not the most significant, but the less significant portions of Lowell's correspondence. I do not mean to suggest that the firm publishing the letters was ungenerous or that Mr. Norton was unsympathetic; on the contrary, Mr. Scudder acknowledges the courtesy of the publishers and the friendly counsel and guidance of Mr. Norton. But withal a careful perusal of the book leaves the impression with the reader that the writer was more than once oppressed by poverty and forced to use unpublished material when the printed letters would have been more helpful. Possibly even this criticism is unmerited; and whether it be or not, those who have appreciated Lowell as one of the purest products of American life and have known the serene, refined man who has written these volumes and who through life did so much to encourage others, must be unfeignedly glad that their names are joined together in a piece of work so wholly worthy of admiration.

*Historic Towns of the Western States.* Edited by LYMAN P. POWELL.  
(New York: G. P. Putnam's Sons. 1901. Pp. xxxvi, 702.)

THIS volume completes a series of four, its predecessors treating of the Historic Towns of New England, of the Middle, and of the Southern States. Ranging from Marietta on the east to the Pacific coast twenty-three towns are described,—some scarcely more than villages but most of them cities, and all possessed of interest as scenes of important and picturesque events. Each town appears to have been cared for by one of its citizens, and the sketches naturally vary much in merit. Among the writers are a few names of distinction, notably Mr. R. G. Thwaites, who furnishes the introduction and the account of Madison; but it is only fair to say that some of the most interesting descriptions come from those who have escaped fame.

The oldest of the historic towns are those farthest west, and the newest those farthest east. When Marietta, Cincinnati and Cleveland began, Los Angeles, San Francisco, Monterey and Santa Fé possessed a history running back a century or two. The line of the Aryan advance has certainly been from the eastward, in the old world and the new; yet the heart of our continent was attacked, first, from the south and west; De Soto marching from near the Gulf of Mexico after his progress from Florida, and Coronado reaching the Mississippi valley in an expedition from the Gulf of California. After a long interval, the second approach to the heart of the continent was made by the French from the far north, the path-breakers coming in from Lake Superior and upper Michigan. After this, nearly a century passed before Anglo-Saxondom fairly broke over the Alleghenies, following the line of advance really most direct.

The story of the towns founded by English-speaking men is interesting, but for romance and pathos we must go to those built by our Latin predecessors. Other men labored; we have entered into their labors and the displacement of these precursors by our prosaic and tumultuous is often touched by tragedy. Detroit, Des Moines, St. Paul, St. Louis, Vincennes, are now French only in name, with scarce a trace in the



populations of the indomitable and adventurous race that planted them. Soon the same thing will be true of the Spanish towns of the remoter west. All the more reason then that a knowledge of their past should be cherished—a past dim and dreamy, pervaded by sights and sounds remote from our experience,—the figures of cavaliers in mail, of priests robed and tonsured marching at the word of absolute commanders, or in the wilderness kneeling at the peal from some mission of consecrated bells.

As we lay down this book we find that no pages have made a stronger impression than those recording the adventures of Father Junipero Serra, the Franciscan monk, who, coming from the island of Majorca, played a great part in America. Just at this moment, in an island but a day's sail distant, Napoleon Bonaparte was born; and Mr. Harold Bolce, who tells the story, makes the startling claim that the work of the monk (of whom we believe most of the readers of this book will now hear for the first time) affected the world more profoundly than that of the soldier. Spain, it seems, just after the middle of the eighteenth century, had determined to give up as profitless the stretch of coast from San Diego northward. Had she done so the coast would certainly have fallen into strong hands. Behring was near at hand prepared to seize the land for Russia as far southward "as the sea-otter ran"; Captain Cook was ready to appropriate for England whatever was unoccupied; La Pérouse, too, in the interest of Louis XVI., looking for chances to plant the *fleur-de-lis*, pushed into the harbors as he sailed down the shore. Father Junipero, however, had gone northward from Mexico with bell, book and knotted cord. He infused his zeal into crowds of Indian neophytes. He restored the crumbling walls of the old missions, and marked again with proper peals matins, nones and vespers; and, when nothing else would do, journeyed through the wilderness back to Mexico to persuade the viceroy to hold on yet longer. So, says Mr. Bolce, Spain served as a trustee until in the fulness of time Uncle Sam entered upon the scene, assuming what the Dons had become too weak to hold. It was all the work of Father Junipero, building so much wiser than he knew: but what pangs would have wrung the soul of the faithful monk had he known what was coming from his labors!

JAMES K. HOSMER.

*A Short History of the Mississippi Valley.* By JAMES K. HOSMER.  
(Boston and New York: Houghton, Mifflin and Co. 1901.  
Pp. xv, 230.)

THIS is an interesting little volume sketching some of the important episodes in the occupation of the great central valley of the Union. Dr. Hosmer has a readable, story-telling style, and he has made a useful book for the general reader. It cannot be said, however, that he has added to our knowledge of the field which he discusses, and the influence of writers like John Fiske, Theodore Roosevelt, and Henry Adams upon the author is obvious. Dr. Hosmer even follows Roosevelt into spelling Boone, "Boon," failing to note that this error was corrected in the

later editions of the *Winning of the West*. The picturesque elements of Mr. Roosevelt's narrative have even entrapped Dr. Hosmer into repeating the unfounded story of Clark's dramatic appearance in the ballroom at the capture of Kaskaskia. A slight investigation into the sources ought to have saved him from this mistake. But the author falls into some strange errors on his own account. As a case in point, his treatment of the Indian negotiations of George Rogers Clark at Cahokia after the conquest may be noted. In that episode Dr. Hosmer brings in distant Indian tribes for whom there seems to be no satisfactory authority, and he gives a description of the negotiations which places Clark in a spectacular position quite out of character with the man. "On the third day of the council," he writes, "certain of the savages set out to seize upon him. Clark, however, anticipated them, snatching out the offenders as they stood in the midst of the hesitating crowd, and casting them straightway into chains. A sign of timidity would have brought upon his little company a rain of tomahawks. . . . Next day the council proceeded with all the circumstance of a savage ceremonial. Clark tossed among them a bloody war belt defying the multitude. Dragging part of his chained captives into the ring, he contemptuously set them free, shouting that he scorned them all." This description is quite irreconcilable with the sources, which give no evidence of any such athletic and vociferous exhibition on the part of Clark.

It is certainly too much to say that "from the time of Clark, there has been no question as to our mastery over the Northwest throughout its whole extent." There was decidedly such a question through the period of the Confederation, and, indeed, in the War of 1812, so far as portions of the region are concerned. But it is in the matter of omissions that the most serious defects of the book are to be noted. Dr. Hosmer fails to give any adequate account of the diplomatic history of the Mississippi valley in the period of Washington and Adams, when the fate of the valley trembled in the balance. In that critical period, France made determined efforts to secure the control of that region, England likewise cast her eyes upon the river, and the mouth of the Mississippi was a pivotal point in the far-reaching schemes of Miranda, the South American revolutionist. Practically nothing of all this appears in the pages of Dr. Hosmer. Worse than this, two or three pages serve to cover the transition between the War of 1812 and the slavery struggle, and yet in the generation that occupied those years occurred some of the most important events in the history of the valley. Failing to describe the entrance of the New York, New England, and German elements into the northern half of the valley in the years prior to 1850, and failing adequately to portray the spread of cotton culture and the settlement of Southerners in the lower half of the valley in the same period, Dr. Hosmer loses the key to the development of that period. It was then that the Mississippi valley split in two, lines of transportation as well as social affinities bound the north together and the south together, and broke the unity of the valley. This great movement of population, and the



evolution of the social, economic and political life of the period are almost ignored by the author.

There is a similar defect in the treatment of the prairie portions of the valley since the war. Although this portion of the history of the region may not present such obviously picturesque features as the topics which he selects for consideration, and although these movements have not been worked out with the same care by preceding writers, nevertheless until these aspects of its history are duly considered, the Mississippi valley can certainly not be said to have received its historian.

F. J. T.

*History of Intellectual Development: On the Lines of Modern Evolution.* Vol. III., Political; Educational; Social; including an Attempted Reconstruction of the Politics of England, France and America for the Twentieth Century. By John Beattie Crozier. (New York, Longmans, Green and Co., 1901, pp. xiv, 355.) This third volume of Crozier's now well-known *History*, written before the second because of failing eyesight and consequent fear for the future coupled with a predilection for practical conclusions, occupies itself first with the formulation of a general programme for the practical statesman and then with what are certainly interesting applications to the special politics of England, France and America. The book is stimulating in many ways, but the present notice must confine itself to only a word or two of possible criticism upon the general programme, which takes the form of four "rules of practical statesmanship" (pp. 149 ff.). Thus: (1) Preservation of National Type; (2) Consequent Dismissal of all merely Abstract Ideals; (3) Development of the State all along the line or "all of a piece," that is, without gaps or exclusions anywhere; and (4) Attention upon "*the material and social conditions*" rather than upon "*the character of the people*." All admirable rules assuredly, and they hold together strongly; the thoughtful statesman, the real statesman of the future would profit much from consideration of them, not to say from Mr. Crozier's latest volume from cover to cover. Nevertheless in what he urges Mr. Crozier himself only exemplifies the very abstract idealism that he so earnestly and so constantly decries—and this in our opinion without damaging the real value of the book at all. When we are told on one page that from the beginning statesmen have blindly followed abstract ideals and treated only useful means as if they were ends, this being nothing more nor less than a law of history, and then on another page that hereafter the statesman is to be practical only if independent of such a law, there appears to us what amounts almost to delightful *naïveté*. Practical politics do indeed need knowledge and understanding of history and Mr. Crozier offers the sort of reflection upon history that can but do good, but with the evidence of history itself and of certain well-known principles of psychology before us we can not see how human progress is ever going to cease to proceed, in the first place, through human devotion to abstract ideals and above all, in the second place, through the association and conflict of such ideals. One man has never yet been so

practical as to lead human society "all of a piece" and, if he had been, the rather important social element of society would have been materially if not fatally impaired. Individuals being by nature partial in their views and disposed to turn means into ends and consequently given to abstraction, all practical leadership must be a divided labor. Only the conflict of opposing abstractions has made and conserved human society and human history in the past, and we are still ready to believe that something of the kind will play its important part in the future. Certainly Mr. Crozier's ideal of a "practical statesman", however much worth his while and ours, is not saved from being abstract either by the term "practical" or by the subjection of practicality to the knowledge and understanding of history. Mr. Crozier seems to have missed the real meaning of the abstractions which he calls the illusions of history.

ALFRED H. LLOYD.

*Die Äthiopische Königsinschrift des Berliner Museums.* Regierungsbericht des Königs Nastesen des Gegners des Kambyses; neu herausgegeben und erklärt von Heinrich Schaefer. Mit vier Luftdrucktafeln und einer Textabbildung. (Leipzig, J. C. Hinrichs'sche Buchhandlung, 1901, pp. vii, 836.) This remarkable monument, inscribed with a long hieroglyphic inscription, was discovered by Graf Schlieffen in 1853 at New Dongola, and was published from a squeeze in the *Denkmäler* by Lepsius (1849-1859). The squeeze was imperfect and as the original stone did not arrive in Berlin until 1871, Lepsius had never seen the original monument when he published it. The above exhaustive and careful publication of the monument therefore fills a long felt want. As might have been expected, a close study of the original has brought out many important facts not before noted.

After showing that the monument originally belonged not in Dongola but in Napata, with the other five great royal stelæ brought from there by Mariette's men, the author takes up the age of the monument and shows conclusively that it belongs to a period beginning at about the entrance of the Persians into Egypt, having been erected in 517 B. C. It treats of the eight years immediately preceding that date and the author of the document, Nastesen, should be the King of Ethiopia, against whom Cambyse's Ethiopian campaign was directed. In harmony with this conclusion, the new and important fact is brought out, that the inscription does mention the "coming" of a foe called K-m-b-s-w-d,<sup>1</sup> against whom Nastesen advances northward, putting him to flight, capturing some of his ships, his supplies, and his land. This harmonizes with Herodotus, the oldest classical source for this campaign of Cambyse, who merely states that Cambyse was obliged to turn back for lack of supplies and equipment. This would be a land division, which had left the river at Korusko; but of course the expedition must have been

<sup>1</sup> The name of Cambyse is often written in hieroglyphic with a final *ε*, a sibilant. In Nastesen's inscription an *n* and another uncertain sign follow the above writing. They are perhaps the remnant of a salutation following the royal name.



equipped with a fleet, and it is the fleet with which Nastesen meets, keeping to the river and evidently not coming into contact with the desert division of Cambyses's army at all. This is all carefully developed by the author (pp. 43-51), and in the opinion of the present writer, he makes good his case. The career of Nastesen as King of Ethiopia in early Persian times, as related in this inscription, forms an interesting commentary on that Ethiopian kingdom, which was known to the Greeks from Herodotus onward. The remarkable hybrid orthography of the inscription, which makes it difficult reading, as well as its grammar, is fully treated in a chapter which forms a valuable contribution to the subject. The historical questions are, however, treated in entire independence of the philological discussions, so that the work can be used by any historical student not familiar with the language; and it should be in every full historical library. On p. 119, correct "VIII. 13-16" to VI. 13-16.

JAMES HENRY BREASTED.

*Source Book of the History of Education for the Greek and Roman Period.* By Paul Monroe. (New York, The Macmillan Co., 1901, pp. xiii, 515.) This work represents an admirable conception fairly well executed. It consists of translations of the bulk of Greek and Roman educational literature and documents, with brief introductory and connective essays by the author. The execution is called only fair, not merely because the translations used are not always the best extant, nor because the author's own style suffers somewhat from scrappiness and repetition, nor even because "the interpretation is purposely left in large degree to the student"; but because the author's classicism impresses as being no more than moderate. Not that he is vulgarly ignorant, but that his discussions want that fulness, copiousness and subtle suggestiveness that mark not alone a superior style, but a completely intimate knowledge of the whole region of one's investigations. He does not, either, always march securely with the deeper underlying logic and inward conflict of ancient history; though in thin superficiality he seems to sin only once, namely when he is content to designate Xenophon's pedagogy as "The Historical View of Education" for apparently no other reason than that Xenophon is an historian. His unqualified acceptance, too, of Grote's view of the Sophists and Socrates would surely nowadays be reckoned as at least an inaccuracy of scholarly perspective. However, when all is said, and all these invidious deductions have been made, there remains in these essays a very great deal of valuable matter; while the book as a whole, bringing together as it does an entire body of source-materials, was most distinctly worth the doing.

GEORGE REBEC.

*Vercingetorix.* Par Camille Jullian. (Paris, Hachette, 1901, pp. 406.) A sympathetic and interesting monograph by a Bordeaux professor on this earliest national hero of the Gauls. The book begins with an account of the country of the Arverni, their religion, their people and their royal house, of which Vercingetorix is the most distinguished

member. It is written from the original sources, and the author follows Cæsar closely in his description of the alliance of Vercingetorix with the Romans, then of the general uprising of the Gauls under Vercingetorix against the Roman oppressor, and of the military operations closing with the siege of Alesia and the capture of Vercingetorix. The concluding chapters describe the murder of the hero in the Roman prison at the foot of the Capitoline hill, on which Caesar was offering other sacrifices to Capitoline Jove, and give an account of the transformation of Gaul into a Roman province. The volume contains five reproductions of coins of Vercingetorix, seven maps and battle plans, with about forty pages of notes carefully discussing special points referred to in the text. While the work is written with due regard to the niceties of scholarship, it possesses also the characteristic French virtues of excellent form and charm of expression. One cannot help wishing that it were accessible to every American boy and teacher of boys to stimulate interest in this heroic Gaul and thus relieve somewhat the tedium of the study of Caesar's *Commentaries*.

JOSEPH H. DRAKE.

*Muhammad and His Power.* By P. De Lacy Johnstone. [The World's Epoch Makers.] (New York, Charles Scribner's Sons, 1901, pp. xviii, 238.) This little volume has the air, not uncommon in popular series, of being made to order. It is not ill done; it brings together the fruits of the best modern research in Islamic studies and it condenses the matter into the compass of a convenient and fairly readable book; it tries hard, moreover, to be impartial, but in this respect as well as in originality of statement or view it scarcely rises above mediocrity. In three preliminary chapters there is a good sketch of the tribal and intellectual life of Arabia before the Prophet. The body of the book is of course devoted to an account of Mohammed, the main features in whose career are familiar enough to be dismissed without much discussion. The author seems inclined to judge him by standards that ought not to pass without challenge. Certainly we may conclude from facts definitely known that he was a man of peace, simple, high-minded and loving. Possibly the very limitations in his intellect and education were causes of success. Had he known the intricacies of Jewish, Christian or Magian philosophies he would quite inevitably have soared above and beyond the capacity of his kinsmen and constructed something perhaps in the likeness of the Manichæan system to content a highly sophisticated age of theologians. Yet though its strength lay in its simplicity it was not the doctrine of Islam alone, however nicely adapted to do its work, that insured success to the movement; there was evidently something personal that affected the contemporaries of Mohammed almost magically. This it was which secured him such adherents as Ali and Abu Bakr and such enemies as his kinsmen of the Quraish; all who knew him appeared to understand that his triumph meant the end of the old order. A change does occur in the Prophet after the crisis of the hijera but he never became persecutor in preference to persuader. The purely material



energy displayed by his successors has been too generally imputed by his detractors to Mohammed himself. He urged them to the pitch of enthusiasm indeed by promises and rewards of superhuman value, but he was dealing with a backward and ferocious people whose energies he modulated to an extraordinary degree by enlisting them to united action for a holy cause. He was human, not divine. Fighting was forced upon him, but through the strife of his later years forcible conversion was no part of his aim nor did he ever refuse to forgive his foes if they consented to peace. The objection which may be reasonably urged against Mr. Johnstone's estimate of the great Arabian is that in common with most Christian historians he measures him by tests too severe. It shows a bias of creeds which has its source in defeats sustained at the hands of Mohammedans twelve centuries ago, of which it is time now to be a little ashamed. To say that Islam and its Prophet owed their success to the sword is to say that the wind creates the prairie fire.

F. W. WILLIAMS.

*The Tower of London.* By Lord Ronald Sutherland Gower. (London, Bell, 1902, two vols., pp. xii, 231; ix, 191.) In these two handsome volumes, beautifully illustrated with reproductions of old prints, engravings and etchings, the author relates the most important and dramatic events connected with the old fortress which was the scene of so much of the woe and pageantry of the English life for centuries. The first volume is taken up with the more notable occurrences until the death of Elizabeth, and with short sketches of the lives of the famous unwilling occupants of the place. The second volume comes down to the present time; the last important event mentioned is the attempt to blow up the Tower in January, 1885. One need not expect too accurate and painstaking statements in a volume that desires to be picturesque. For example, the reader will not find the same judicious treatment of Raleigh's imprisonment and execution as is found in the pages of Gardiner. Quotations from Pepys's Diary do not agree with the same passages in the best editions of that immortal compendium of entertaining gossip. There are, moreover, slight inaccuracies of statement; Laud's death did not occur in 1644, but in 1645; Raleigh did not leave England on his famous Guiana expedition at the end of March, but in June. Probably the general reader, for whom these interesting volumes are intended will not find their perusal saddened by occasional slips of this sort.

*Wales.* By Owen M. Edwards. [Story of the Nations Series.] (New York, G. P. Putnam's Sons, 1902, pp. xvi, 422.) The purpose and scope of Mr. Edwards's volume may be inferred from the fact that it belongs to the series of the "Story of the Nations." In some four hundred pages the author sketches the course of Welsh history from its beginning down to the present age. He does not seek to make new contributions to science but rather to set forth in clear and attractive form what is generally known of the subject. This purpose is achieved with fair, though not notable, success.

Mr. Edwards's account is trustworthy in the main. Unlike many earlier writers on Wales, he observes the limitations of historical knowledge and tries to discriminate between facts and unattested traditions. In his account, therefore, one misses with satisfaction the extravagant fancies which so long passed current with the Neo-druidical writers, and which have not yet disappeared from some text-books and encyclopædias. In what Mr. Edwards himself calls the "first attempt at writing a continuous popular history of Wales," this quality deserves praise. Throughout the book, in fact, an attempt is made to avoid disputed questions and keep the narrative in the beaten path.

A kind of superficiality, often bordering upon inaccuracy, was perhaps inevitable in a work of the sort. The fault is most apparent in the earliest chapters where the treatment is very cursory, and where the author is sometimes too ready with his generalizations. The beginnings of Christianity in Britain, for example, are passed over as if they did not present any difficult problems. The estimate of the extent of Christianity in the Roman period is certainly greater than would be borne out by recent discussion; and the statement that heathenism still held sway over the Goidelic inhabitants of Wales in the middle of the sixth century (p. 28) needs some substantiation. (The last opinion differs strikingly from the doctrine—also hazardous enough, to be sure—which Mr. Willis Bund set forth in his treatise, *The Celtic Church in Wales*, Chapter III.) Again in a later chapter (p. 235), the casual mention of Edward I. and of his relations with the bards is rather misleading. Finally Mr. Edwards has a tendency to idealize his favorite characters and perhaps to exaggerate a little the importance of their work. But on the whole his book will not be found to give a seriously erroneous impression of the course of Welsh history.

The narrative is for the most part clear and readable, though the opening chapters in this respect also are inferior to the later ones. The events of the earlier centuries were disorderly enough at best, and Mr. Edwards's somewhat disjointed style does not make them less confusing. From the time of Owen Gwynedd, however general principles are more clearly discerned and more effectively expounded.

The very modern period, like the most ancient, is passed over with scanty discussion. In fact the perspective of the book is open to considerable criticism. Very slight attention is paid to religious history, and the development of Welsh literature might well have received fuller treatment because of its bearing upon the national life.

The book would have been more useful to the student, and no less so to the general reader, if Mr. Edwards had not contented himself with a vague citation of authorities in his preface. Brief lists of sources, such as he has given at the ends of chapters in his *Hanes Cymru* (a text-book on Welsh history intended for use in the Principality), would not have been at all out of place.

F. N. ROBINSON.



*Les Institutions Communales de Rome sous la Papauté.* Par E. Rodocanachi. (Paris, Alphonse Picard et Fils, 1901, pp. vii, 424.) The present book is not M. Rodocanachi's first; since 1888 he has published at least ten or a dozen works, some of them of considerable size and importance. The book before us, as its title indicates, is a history of the communal institutions of Rome under the papacy. In treating the subject, the author has adopted the chronological method, beginning his story with the days when Rome was still governed by the imperial prefects and concluding it with the end of all communal institutions in the eighteenth century.

To the text of the book has been added an appendix containing two bulls: one of Pius II., dated October, 1460, and one of Sixtus V., dated May, 1588. Why these two documents were selected is hard to determine; they seem to add no special illumination to the text. Following the appendix comes an elaborate table of all the important bulls which relate to the communal life of the city between the years 1188 and 1595. Finally, the book contains a synoptical table of the articles of the four different codifications of the Roman municipal statutes.

In writing the book, the author, as he himself says, has endeavored to keep constantly before the reader the fact that the antagonism which existed from the earliest times between the papal power and the people determined the character of Roman institutions; that institutions were created as much to frustrate the will of the Pope as to insure the people in their liberties. Furthermore, the Roman people of the Middle Ages were so dominated by the traditions of the ancient glories of their city that many of their institutions were the result of a sort of brooding upon what the city had once been to the world. Yet the liberties which the Roman people succeeded from time to time in wresting from the Popes, they speedily lost; for there existed in the city none of that spirit of freedom which commercial activity had engendered in the minds of the citizens of the communes of northern Italy. Rome never was and never became a commercial city and therefore its communal institutions never had any very great vitality.

All these points are brought out very well in the book before us, but one notable weakness mars this otherwise satisfactory treatise. A close study of the communal institutions of Rome shows that they are almost all copies of the institutions of the cities of northern Italy. In almost every case, Rome was at least half a century behind the cities of Lombardy in its communal history and frequent reference to the institutions of the northern communes would therefore have helped the reader to understand much more easily the municipal history of Rome. Instead of doing this the author has treated all the Roman institutions as though they had their origin in the city itself and the book therefore suffers very much from the narrowness of the writer's point of view.

ARTHUR MAYER WOLFSON.

*Menasseh ben Israel's Mission to Oliver Cromwell*, by Lucien Wolf (London, Macmillan and Co., 1901, pp. lxxxviii, 191), is a reprint in facsimile of three pamphlets published by Menasseh ben Israel in 1649-1656 to promote the readmission of the Jews into England, with an introduction and notes by the editor, and three portraits, two of which are from the hand of Rembrandt. It is a beautiful volume and appears under the auspices of the Jewish Historical Society of England as a memorial of the interesting character whose name it bears. Menasseh ben Israel was a rabbi living in Amsterdam, of Marrano descent, who was led by his studies of the Messianic prophecies and by the philo-Jewish character of the Puritan revolution to undertake a mission to Cromwell in 1655-1657 in the hope of securing a refuge for his persecuted co-religionists of the continent. The mission seemed at the time to be a failure owing to the opposition of the ministers and merchants, especially the latter, and Menasseh died of a broken heart; yet its ultimate result was the legal readmission of the Jews into England. In the heated debates on the question, two judges gave it as their opinion that there was no law prohibiting the residence of Jews in England, and Cromwell acted quietly on their advice. The pamphlets here reprinted are essential to a knowledge of this important episode.

Not the least valuable part of the volume is the introduction by Mr. Wolf giving a short history of the movement for readmission. For many years Mr. Wolf has contributed articles to historical periodicals on various phases of this topic. He has made the subject specially his own and his enthusiasm is clearly reflected in his interesting pages. One notices, however, that his natural desire to make the most of the somewhat fragmentary material leads him occasionally to outrun his evidence. Not to mention minor matters, it is certainly an exaggeration to regard Cromwell as the mainspring of the whole readmission movement and even the instigator of Menasseh's mission. Cromwell supported the mission heartily, but the documents hardly bear out the assertion that "Menasseh was but a puppet in his hands." It must be added, however, that the author cites his evidence constantly, which makes it easy for the careful reader to part company with him at any point. Whether he has not unduly emphasized the commercial side of Cromwell's policy, touches upon a question concerning which there is still disagreement. Mr. Wolf announces a new volume dealing with the same subject in greater detail, which will be looked forward to with interest. Of the general importance of this very creditable memorial volume, it is sufficient to say that it should not be overlooked by anyone who is interested in the history of the Commonwealth period, the history of the Jews, or the history of religious toleration.

G. J.

*The Siege of Quebec and the Battle of the Plains of Abraham.* By G. Doughty, in collaboration with G. W. Parmelee. (Quebec, and Proulx, 1901, six vols., pp. xxx, 280; x, 317; x, 340; ; xi, 362; 346.) For several years past, there has been waged



in Quebec a controversy, at times heated, over the site of Wolfe's operations upon the Plains of Abraham and of his victorious death. The Wolfe monument undoubtedly springs from the death-spot; but whether that was at the front or the rear of the English army, has been the question. Some French authorities have contended that it was at the front, and that the monument consequently marks the utmost advance of the British before they were met by Montcalm's forces sallying from the fortress. Were this true, then some of the fighting must have taken place upon the present race-course lying immediately to the west of the monument, which enterprising guides exhibit to summer tourists as the veritable Plains of Abraham. On the other hand, English local antiquarians have as a rule stoutly claimed that Wolfe's men had advanced to a point much nearer the city's walls, and that the site of the battle is now largely occupied by private residences and a jail. As there has been on foot a project to sell the race-course to the city as a public park, it will be seen that not only racial but real estate interests have given spice to the discussion. Dr. Doughty, who is one of the librarians of the Quebec parliamentary library, and strongly possessed of the historical spirit, set out to discover the truth. His investigations led him far afield, until the task has broadened into these six portly volumes. He discovered that the race-course now shown as one of the sights of Quebec was not even a part of the Plains of Abraham, and that in all essentials the English side of the controversy is beyond question. However, this conclusion proves to be but incidental to the monumental work before us. Our author has given herein an excellent historical review of the circumstances leading up to the siege, together with a fresh account of every phase of the siege itself, and detailed biographies of Montcalm and Wolfe. These, he has conclusively fortified with a large collection of contemporary portraits and views, and manuscript plans, reports, journals, and miscellaneous documents of many kinds, in both French and English, industriously collected from scores of American and European archives, and all thoroughly annotated and indexed. It would seem to the casual reader as though the subject had been quite exhaustively treated in this respect; yet we are assured by the compiler that, so large is the mass of material, only selections from the sources have proved practicable, enough remaining unpublished to fill many more volumes—in case any future gleaner cares to prepare and publish them—to “shed additional light on the characters of the principal actors in the drama of 1759.” Students desiring to know the true inwardness of this far-reaching event in American history, must inevitably hereafter turn first to Dr. Doughty's scholarly and well-considered volumes; for Parkman's account, in *Montcalm and Wolfe*, is in comparison but a hasty summary. The volumes are handsomely printed, and the hundreds of illustrations reproduced by the most approved methods.

R. G. T.

*Frederick the Great on Kingcraft*, by Sir J. William Whittall (Longmans), gives text and translation of the famous *Matinées du Roi de Prusse* from what purports to be the original manuscript. That the writing is a

forgery is perfectly clear to anyone who has made even a superficial study of Frederick's reign—which Whittall has not done. To take a single point: Frederick is made to declare that, after laboring for several years and doubling the size of his army, he began to study his claims to Silesia and then began his war with Maria Theresa,—when we know for certain that within a few months after his accession his army was on the march. Again, how could Frederick, ostensibly in 1764, when he was still chafing under England's abandonment of him, have possibly given the advice to his heir: *La seule façon de rétablir vos affaires, c'est de vous conserver l'alliance de l'Angleterre!* Whittall claims that his manuscript is a copy of one that the Duc de Rovigo stole from the writing-table in Frederick the Great's library in Sans Souci in 1806, the copy having been given, in 1816, as a great mark of confidence to Whittall's grandfather, with stern injunctions not to publish it as long as either of them lived. But surely the successors of Frederick the Great would not have left a document so damaging to his reputation lying on his library table! Moreover Carlyle—to whom Whittall so scornfully alludes—in a copy of his history dated 1865, speaks of the Rovigo theory as completely exploded and states that he himself has been offered at least three "priceless manuscripts" of the *Matinées*. There is neither novelty nor merit in Whittall's "disclosures," though he naïvely assures us that during a period of well-nigh sixty years his grandfather was never accused of any "deviation from perfect truthfulness."

Mr. Hiram Brigham, Jr. has prepared for the press and published an attractive little pamphlet called *Five Straws Gathered from Revolutionary Fields* (Cambridge, 1901). The straws are letters written by William Weeks, a New Hampshire soldier in the Revolution, and they well deserved printing. Two are from Valley Forge, describing simply the privations of the soldiers. "Since my last" he writes April 30, "I have had the *Honour* of having the *small Pox* by way of *Innoculation* and so favourable that I scarcely expect to have a Receipt for it."

*The French Revolution and Modern French Socialism.* A Comparative Study of the Principles of the French Revolution and the Doctrines of Modern French Socialism. By Jessica Piexotto. (New York, Thomas Y. Crowell and Co., 1901, pp. viii, 409.) The author of this book has undertaken to present and compare the principles of that party in France which stood in sharpest opposition to the social order in existence at the close of the eighteenth century and of the one that stands in the same relation to the social order of the closing nineteenth century. She regards the men of 1793 as the real French Revolutionists, the real Irreconcilables, as the Socialists are to-day. The book falls into two parts, in each of which the treatment is the same: first a study of the writings of the leaders of the two schools, then an examination of the evolution of these theories into party programmes and of the modifications wrought in them during the process by reason of the national character, institutions and policies of the French, ending with an exposi-



tion and analysis of the doctrines in their completed form. In the closing chapter the principles of the two schools are compared, similarities and dissimilarities being pointed out. No attempt is made to show any historical connection between the modern Socialists and the early Revolutionists. The author expressly states that there was no conscious socialism in the Revolution at any rate before 1795. "To set about an inquiry concerning the socialism of the Revolution would be then . . . to undertake a superfluous task." She attempted simply to state and compare the doctrines of the two groups, their theories of the State, of the rights of man, the nature of property, the relations of individuals toward each other and toward the body politic. She correctly judges that such a study is worth while.

The book shows evidence of wide reading but a reading sometimes imperfectly mastered. It is fair and temperate but is written in a style so defective that it is frequently difficult to seize the precise meaning. The proof-reader or the printer is responsible for numerous mistakes. We have a plural noun with a singular verb on p. 79, "as" for "ask" on p. 229, words run together, p. 231, lines transferred, p. 226. Sévigny should read Sévigné (p. 90), Sièyes should read Sieyès (p. 132).

It would be difficult to show that the "reign of terror resulted from the principles of revolution" (p. 148); more difficult still to prove that "Mirabeau's strong statesmanship fairly dominated" the Constituent Assembly even against its will, as is stated on p. 112. The book contains valuable bibliographies and excellent indexes.

CHARLES DOWNER HAZEN.

*Eastern Problems at the Close of the Eighteenth Century.* By Alfred L. P. Dennis. (Cambridge, Mass., The University Press, 1901, pp. 277.) The book before us was presented as a thesis for the degree of doctor of philosophy at Columbia University. The object of the thesis is to show the influence exerted by the Eastern Question during the period of the Revolution and of Napoleon. In his preface the author tells us that the three chapters of which the thesis consists form the preliminary chapters of a work which he has in preparation. The first chapter deals with the part played by the colonial questions in bringing about the rupture between England and France in 1793. While the war was nominally over the French invasion of Dutch territory, apparently a strictly European motive, yet on both sides Dutch sea power and colonial posts had come to be regarded as weapons in the rivalry for colonial dominion. As early as 1787 Mr. Pitt had written to Lord Cornwallis, then governor general in India, that "in this situation the first struggle will actually be for the dependencies of the Dutch Republic, and if at the outset of a war we could get possession of the Cape and Trincomale, it would go further than anything else to decide the fate of the contest." In support of his view as to the influence of the colonial question, the author makes a very interesting study of the trade interests in-



volved and of the views that prevailed in both countries in regard to the question of colonies.

The second chapter, entitled "The Eastern Question and the Revolution," discusses the problem of Asia, and prepares the way for the concluding chapter dealing with "Napoleon Bonaparte and the Orient." Attention may be called particularly to the interesting pages in which the author brings out the fact that, for some time back, expansion in the Mediterranean basin had been regarded as a French interest. Choiseul had suggested the occupation of Egypt to Louis XV. as compensation for the losses sustained by France in the Seven Years' War. In a despatch bearing date 1789, Saint-Priest, French ambassador at Constantinople, set forth that in case the Ottoman Empire should fall asunder, the fertility of Egypt, the ease with which it could be conquered and defended, and its command of the route to India, pointed that country out as the share of the booty which should fall to France. The author has enriched his pages by a thorough study of sources and has given us a monograph at once informing and suggestive. The bibliography covers fifty pages.

RICHARD HUDSON.

*American Political History, to the Death of Lincoln, Popularly Told.* By Viola A. Conklin. (New York, Henry Holt and Co., 1901, pp. 435.) No pretense is made that this book fills a long felt want. On the contrary it was avowedly created on the spur of the moment, to meet a newly felt want. A cultured New York woman had attended parlor lectures on art, music, the drama, etc., and had remained lamentably ignorant of the history of our own country. She called upon the author of this work to prepare a course of lectures on the political history of the United States, promising an audience of women equally ill-informed with herself and equally anxious to learn. The interest aroused in the lectures suggested their publication in more permanent form.

Viewed from the standpoint of origin and intention the work is highly meritorious. The pages are packed full of carefully selected information. The author shows a good deal of ability in seizing upon the salient points of periods and weaving them into a connected narrative. The narrative begins with the "Old Dominion," and is made continuous to the death of Lincoln. Of course, under such limitations the greater part of our political history is left out, yet it is remarkable how much is taken and put in such form as to hold the interest of the reader. Fifteen of the twenty-two chapters are devoted to the history of the presidential administrations beginning with that of Washington. The book abounds in apt quotations. A good many of these are woven into the narrative without any intimation of the source from which they are drawn. There is no bibliography, and there are scarcely any footnotes. It was the evident intention of the author to give the information required without troubling any one with supplemental reading. The narrative moves along, for the most part, in chronological order, and at the top of each page there is a date which is intended to mark the lead-



ing event noticed on the page; but in some instances several events belonging to different years are noted on the same page in such a manner as to confuse the unwary reader. At page 222, date 1817, the author drops back to date 1792 and devotes two pages to Eli Whitney and the genesis of the cotton gin.

There are many little touches which add interest to the narrative. Apropos of the extraordinary affection which the followers of Clay felt for their leader we are informed that he found upon visiting his banker that his debts had been paid and his notes and mortgages cancelled by money sent for that purpose by anonymous admirers. Jackson's "Kitchen Cabinet" receives as much attention as his war with the bank.

JESSE MACY.

*Early Settlers and Indian Fighters of Southwest Texas* by A. J. Sowell (Austin, Texas, Ben C. Jones and Co., 1900, pp. viii, 844) purports to be a recital of facts gathered from survivors of pioneer days, recounting the deeds of the men "who cut the brush and blazed the way for emigration" and bore the burden of western expansion in the heat of the day. One cannot help feeling that these stories, the truth of which cannot possibly be ascertained by a reviewer, must be taken with many generous allowances of salt. The modern historical student has learned that the best evidence is not always the testimony of an eye-witness, even when he was himself *magna pars* of what he tells. But nevertheless these tales of privation and border conflict, if they be, as the skeptic thinks, untrustworthy in detail, are well worth preserving, and possibly not without their value to the critical writer of history.

*The Growth of the Empire, A Handbook to the History of Greater Britain.* By Arthur W. Jose. (London, John Murray, 1901, pp. xvi, 422.) The first edition of Mr. Jose's book, printed in Melbourne nearly thirty-five years ago was almost unknown beyond the boundaries of Australia and now this very much enlarged edition is published simultaneously in London and Melbourne. This fact is an indication of the political change which has taken place in the peoples of the British Empire. The seed which Professor Seeley sowed has nowhere taken deeper root than in the Australian continent and Mr. Jose, his ardent disciple, has traced its growth and present condition in this last edition of his admirable summary. His historic instinct shows him that Australia was won at Trafalgar and that both to Britain and the United States the Napoleonic wars afforded opportunities for growth which they were slow to seize, but which in time proved their claim to be the most successful colonizers of the world. Mr. Jose is a fair representative of the Australian historians, adding to his knowledge of Seeley and Mahan the advantages of sufficient remoteness from the English-speaking countries of Europe and America to view both from a standpoint which is interesting and novel. He sees that the British Empire is the most complex in the world, that it is no formal union of self-governing and crown-governed countries, but a union of peoples drawn by common sentiment round the

mother-land and that, therefore, those who would unduly hasten an Imperial Federation are endangering the future by impetuosity. The summaries of the histories of India and Australia are succinct and fairly accurate; those of Canada and the American colonies are not quite equal to them and are disfigured by a few geographical mistakes which should be corrected in the next edition. The outline maps showing the successive stages of development though small are admirably suited for a text-book. No better book can be placed in the hands of anyone desirous of knowing what the British Empire is, and how it came into existence.

JAMES BAIN.

*Life of Sir William Wilson Hunter, K.C.S.I., M.A., LL.D.* By Francis Henry Skrine, F.S.S. (London and New York, Longmans, Green and Co., 1901, pp. xvi, 496, xxxii.) Sir William Hunter had extensive rather than thorough knowledge of India. He was a literary executive and had a rare capacity for seeing beyond the facts. He could take a long view, could plan a set of encyclopædic volumes and could set his assistants to work collecting the facts while he, by means of a preface or a newspaper article, gave to the average man a stimulating and suggestive idea regarding the general truth. His lucidity and his capacity for understanding what people in England wished to know and ought to know were undoubtedly due in part to his long newspaper career. He popularized India to England and this without loss of dignity; to an ever increasing extent he was the spokesman of India to the English world. The *Gazetteer* will probably give him his ultimate fame, for in spite of his laboriousness and his style Hunter was better as an editor or compiler than as an historical student. To hope for great accuracy or for the spirit of the scholar in such a man was to wish for a different, though perhaps not a greater, sort of an historian. Mr. Skrine in the biography hints at this. Sir William Hunter in his letters and writings makes it clearer. Yet Hunter's work is so valuable and stands in such small need of adjectives, and he himself was so much of a man that it is a matter of regret that his biographer has seen fit almost to bury him and his achievements beneath a mass of exaggeration and exuberancy. There is little about Hunter that is not "consummate" to Mr. Skrine. This trick of excess is one to which Hunter himself was liable as for example when he writes that recently he examined "the whole body of modern Indian literature." Where it is of small moment in so great a man as Hunter it is at least disappointing in his biographer. Hunter's literary career is not well treated and the fact that meaningless pictures of the library and drawing room at Oaken Holt are reproduced in the work is significant. Mr. Skrine fails to give satisfactory answers to such questions as these—how real was Hunter's editorship in many of his complicated literary ventures, to what extent did he depend on his assistants, how many oriental languages could he use as tools, did he as Mr. Skrine seems to indicate spend only a few days at Lisbon working among the Portuguese documents which were to be used in the first volume of the *History of British India*? The literary and political man is sacrificed to the social



man. Mr. Skrine might revise his proofs and might spell "Mahammadan" differently, and certain foot-notes, particularly those on pp. 10 and 31, dealing with Chinese matters, require attention. He believes that the *Annals of Rural Bengal* "astonished the World" and influenced Mr. J. R. Green in making his plan for the *Short History of the English People*. There is no mention of such an influence in Mr. Greene's *Letters*. A bibliography of Hunter's works is given at the end of the book. It is a remarkable output for a man who was also an Indian official and journalist and who found time to enjoy life, though in spite of great physical disabilities.

A. L. P. D.

Like the previous volumes in the series, *The Review of Historical Publications relating to Canada for the Year 1901* edited by Professor George M. Wrong and H. H. Langton (Toronto, 1902, pp. 236) is a valuable and helpful compendium. It would be worth while to collect titles of the books in this field even if the reviews were not critical or exhaustive. As a matter of fact, however, the comments seem exceptionally good, and on the whole scholarly and sound. Many books are included in the list, that would not at first sight seem to be in the Canadian field, but the intention of the editors seems to be to make the list exhaustive and to include all books that materially touch upon Canadian history and interests. For example, the books that appeared during the year on the Marcus Whitman controversy are here briefly reviewed, the writer reaching the conclusion that the evidence which induced Professor Bourne to form his opinion of the mythical character of the story is sufficient "to convince anybody open to conviction." It may be incidentally noted that the writer of the review in question is wrong in saying that Whitman was "voted a niche in the Hall of Fame." The collection includes notices of magazine articles as well as books.

The *Report on Canadian Archives* for 1901 by Douglas Brymner, archivist (Sessional Paper No. 18, for 1902), contains calendars of the state papers of Lower Canada from 1836 to 1857, and of the state papers of Upper Canada for 1836. The material relates in part to a somewhat critical and important period, throwing light on the history of the rebellion of 1837 as well as on other matters not uninteresting to the student of Canadian history. Since the last report was published 64 volumes of copies of state papers have been received from London, containing among other things Admiralty papers, 1812 to 1815; Dartmouth papers, 1759 to 1784; minutes of executive council, 1753 to 1785. From Paris have come 24 volumes relating to Ile Royale, Missions, Ile St. Jean and Prise de Louisbourg.

*History for Ready Reference.* By J. N. Larned (revised and enlarged edition in 6 volumes). Vol. VI. Recent History (1894-1895 to 1901) A to Z. (Springfield, Mass., The C. A. Nichols Co., 1901, pp. 720.) We are already familiar with the plan and scope of the previous volumes in this set; this one differs materially from its predecessors in that it is for the



most part a collection of extracts from official despatches and publications. Instead of being a summary of the views of various writers of subjects which are under investigation by students it is largely a reprint of the original sources of contemporary political history. As such it has a distinct and unique value. For example the article on Cuba is with two exceptions (a short extract from Latané, *Diplomatic Relations of the United States and Spanish America*, and one from an article by Fitzhugh Lee in the *Contemporary Review* for June, 1898) composed practically of quotations from United States government publications. Nine-tenths of the article on the United States is similar in character. In dealing with international matters with which the United States had no immediate concern or where no adequate reports by United States officials exist the editor has relied for official documents almost entirely on British Blue Books. No extended attempt has been made to translate from French or German documents. The entire history of the Spanish-American war with the exception of a short summary of Admiral Cervera's report as "partly published in newspapers at Madrid" and republished by Secretary Long is compiled from United States government reports and a few extracts from Marshall, *The Story of the Rough Riders*, Bonsal, *The Fight for Santiago*, and similar books. The general causes of the war in South Africa and the fundamental differences between Great Britain and the Transvaal are treated in extracts from a number of books and magazine articles which may or may not seem to be impartial to the reader. The record of events is contained in British government publications. Occasionally the editor permits himself to express an opinion as in condemning vigorously the failure of the Senate to ratify the arbitration treaty with Great Britain. Such is the general character of the book. As a collection of what must be original sources it has great value to the student; as a summary of recent politics it is a most convenient volume; but it is not a means of securing information through other than English or American documents, books, magazines and newspapers. It would be possible to complain that such and such a topic has been omitted or inadequately treated, but on the whole the arrangement is good and an elaborate scheme of cross references adds materially to the usefulness of the book. A dozen maps and as many statistical tables are scattered through the volume.

A. L. P. D.

*Municipal Administration.* By John A. Fairlie. (New York, The Macmillan Co., 1901, pp. xiv, 448.) This is a book of considerable merit. The author presents a comprehensive view of the problems of municipal government, and of the manner in which their solution has been undertaken in the United States and in the principal countries of Europe. A great mass of material is brought together, and the selection and grouping of data is on the whole admirable. The book is divided into four parts: Municipal History, Municipal Activities, Municipal Finances, and Municipal Organization. Of the historical part, the chapter on medieval cities is the least satisfactory, but it must be admitted that it



is hardly possible to give a clear account of so complex a subject in the brief space of a dozen pages. We should not expect to find in a treatise of this character a full discussion of the legal aspect of municipal corporations; but the brief statement of legal principles in the chapter on the council does not show a perfect grasp of the law, and will be of comparatively little value to the student. It would have been better if the author had attempted to set forth, in treating of the various municipal functions and powers, the legal problems and difficulties arising in connection with them. This would have been of distinct value; for the layman cannot be expected to study legal treatises, and a proper understanding of many important municipal problems is greatly aided by some knowledge of judicial decisions, so in the matter of the regulation of rates, power over franchises, contracting of loans and issue of bonds. So, in the chapter on organization, the creation of a number of distinct municipalities out of substantially the same territory and population, with its effect upon limit of indebtedness and budget, would have deserved more attention than it has received.

The main portion of the work, treating of municipal activities, is, however, on the whole, extremely satisfactory. It covers the following subjects: health and safety; charities and provident institutions; education; and municipal improvements under two subdivisions: those dedicated to public uses without charge, and those for the use of which a charge is made, and which are largely owned and managed by private corporations. The progress and present status of administration in these matters is illustrated by an abundance of material, well digested and lucidly arranged. As a handbook for the use of the growing number of persons, who wish to inform themselves upon the problems and principles of municipal government, the treatise is so far without a rival in American literature.

ERNST FREUND.

*Two Centuries of Growth of American Law, 1701-1901.* By Members of the Faculty of Yale Law School. (New York, Charles Scribner's Sons, 1901, pp. xviii, 538). This is one of the Yale Bicentennial Publications, a series of volumes "issued in connection with the Bicentennial anniversary as a partial indication of the character of the studies in which the University teachers are engaged." It is made up of a series of articles, seventeen in number, upon the leading topics of law, prepared by the members of the law faculty of Yale University.

To write within the compass of 500 pages an adequate history of the development of American law during the past two centuries is obviously impossible. Even if it were attempted, the arbitrary division of the subject under seventeen separate heads, each of which is to be independently treated, must result in much repetition and lack of coherence. The mere statement of the conditions imposed will show what the limitations are. Professor Rogers, for example, for the great subject of municipal corporations, is allotted but sixty pages, while the still greater subject of private corporations is covered by Judge Baldwin in fifty. The articles

therefore must be, as their authors have described them, merely outline sketches. They are too brief and too general to be of great value to the lawyer, though they undoubtedly contain facts with which many practising lawyers are unfamiliar. They will, however, give the general reader an excellent idea of the growth and present condition of the main topics of the law. They cannot be regarded as serious history, but they do admirably serve the less ambitious purpose for which they were designed.

FLOYD R. MECHEM.



## NOTES AND NEWS

The tragic death of Paul Leicester Ford is felt as a serious loss to American historical writing especially in the lines of bibliography. Mr. Ford was born in Brooklyn, New York, in 1865 and from an early age showed a marked interest in genealogy and historical research. From 1884 to 1896 he produced a score of bibliographies mainly relating to the period of the Revolution and the Confederation. Recently his interest in this direction led to his founding *The Bibliographer*, of which he was editor at the time of his death. He had previously been associate editor of the *Library Journal* and secretary of the New York Library Club. Another phase of his activity lay in editing historical material. He edited, among other things, the *Writings of Thomas Jefferson*, the *Works of John Dickinson*, *Pamphlets on the Constitution, 1787-1788*, *Essays on The Constitution*, and *The Federalist*. He contributed two biographies, *The True George Washington*, 1896, and *The Many Sided Franklin*, 1899. The cause of American historical research has the greater reason to deplore his loss in that it has come at a time when years of scholarly training such as few men of his age are fortunate enough to have gone through, together with his known literary skill, seemed to have qualified him for constructive historical work of the first rank.

The list of historical scholars that have died recently includes the names of Léonce Couture, director of the *Revue de Gascogne* since 1863 and an extensive writer on local subjects; Jules Girard, known especially by his work on the intellectual and moral history of the Greeks; Max Buedinger, professor in the University of Vienna, who devoted himself successively to ancient, medieval and modern, and universal history; and Charles Morel, teacher, editor, archæologist, and writer in matters pertaining to Roman and Genevan history.

Albert Gallatin Riddle died in Washington on May 15. He was born in Massachusetts in 1816. Most of his life was spent in Ohio where he took an active part in Free Soil politics in the Western Reserve, being a member of Congress during the Civil War. Besides sundry magazine articles on historical subjects, he wrote a *Biography of Benjamin F. Wade*, 1886, and an entertaining volume on *Recollections of War Times*, 1895.

The Johns Hopkins press has published a volume which will be of peculiar interest to the readers of the REVIEW. It is a tribute to the memory of Herbert B. Adams (Baltimore, 1902, pp. 160). It contains in addition to a sketch of his life and appreciations of his work and influence, a record of the publications of the graduates and contributing members of the department of history, politics and economics at Johns Hop-

[The department of Notes and News is under the general management of Earl W. Dow and Theodore C. Smith.]

kins, during the twenty-five years of its existence. The list is a monument, enduring and truth-telling.

The second number of the new *South Atlantic Quarterly* reasserts in its leading article the hope and purpose of giving expression to a genuine southern literary movement. So far the articles appear to be largely historical in character and as such are referred to elsewhere in this number of the REVIEW. It is to be observed that this periodical added to those already in existence will make the sixth now devoted to the history of the former slave states.

Professor H. P. Judson has resigned from the Board of Editors of the REVIEW, and the Board, acting under the special authority of the Council of the American Historical Association, has chosen Professor J. Franklin Jameson to fill his place until the next meeting of the Council.

Professor Dana C. Munro, of the University of Pennsylvania, goes to the University of Wisconsin the coming year as Professor of European History. Professor W. C. Abbott, of Dartmouth College, has accepted a similar position in the University of Kansas.

The Bibliographical Society of Chicago has issued a limited, handsomely printed edition of *On the Difficulty of Correct Description of Books*, by Augustus DeMorgan, which appeared originally in *Companion to the Almanac; or Year-book of general information for 1853*.

The Société des Études Historiques continues the publication of its *Bibliothèque de Bibliographies Critiques*. The three last fascicles we have received comprise a critical bibliography of *Épigraphie Latine*, by René Cagnat; a bibliography of *Hoffmann*, by Henri de Curzon; and a very complete as well as critical list of materials for the history of *Les Conflits entre la France et l'Empire pendant le Moyen Age*, by Alfred Leroux (Paris, Picard).

In the field of historical theory, attention may be directed to a series of articles by K. Breysig, in the *Zukunft* (XII, 15-17); "La Psychologie et l'Histoire," by A. D. Xénopol, in the *Compte Rendu* of the Academy of Moral and Political Sciences (December, 1901); "La Méthode des Sciences Historiques," by Father Castelein, forming part of his *Logique* but published separately (Namur, Delvaux); and "The Economic Interpretation of History," by Professor Seligman, in the *Political Science Quarterly* (beginning in Vol. XVI., No. 4).

The well-known Putzger *Historischer Schul-Atlas* has lately appeared in a twenty-fifth jubilee edition, in which numerous improvements have been made. Particularly, the number of maps, including insets, has been increased from 139 to 234, while the price remains the same (New York, Lemcke and Buechner).

The appearance, though tardy, of Part XXVIII. of the *Historical Atlas of Modern Europe* again revives the hope that work may soon be completed. This last fascicle includes "The Growth of Prussia," by C. Grant Robertson; "Italy, 1167-1250," by Miss Lina Eckenstein;

and, of special interest, "India under Mohammedan Rule" (two maps, one about 1340, the other for 1605), by Professor Lane-Poole.

Three reviews which will publish articles in the field of history have lately been founded at Paris: *Minerva*, devoted to letters and arts in general, appears twice a month; each number has one hundred and sixty pages and sells at two francs (Fontemoing). *Les Arts*, an illustrated monthly, at 22, 24 and 28 francs per year, will give especially reproductions of ancient and modern works (Manzi, Joyant et Cie). *La Revue Latine*, edited by Émile Faguet, will be occupied principally with comparative literature: 4 and 5 francs per year (Fromentin).

The fifth general table of the *Revue Historique*, covering the years 1896 to 1900 inclusively, has lately been distributed to the subscribers of 1901 and may be had by others at 3 francs. Its most serviceable parts, naturally, are the division of bibliography, which comprises this time 4,659 titles, and the "Répertoire Méthodique," where these titles are classified according to the place, time and subject to which they refer.

With the appearance of *The Moors*, Mr. Budgett Meakin's important trilogy on Morocco is completed. The first volume of the series, *The Moorish Empire*, is concerned mainly with the government and politics of Morocco, from the earliest times; the second, entitled *The Land of the Moors*, deals especially with the physical features of the country; and the third is occupied with the people of the country, socially, ethnologically and morally (London, Sonnenschein.)

In commemoration of the half-century Jubilee of the Owens College, which was celebrated at Manchester in March, twenty members of the College, including professors and former students, published, through Messrs. Longmans, Green and Co., a volume of *Historical Essays* which will hold an honorable place in "Festschrift" literature. All the articles set forth results of original investigation, save two in which Mrs. Alfred Haworth and Mr. Thomas Bateson treat of the teaching of history in elementary and secondary schools.

The International Congress for the Historical Sciences that was to be held in Rome last April failed to assemble, owing to intervention, after divers incidents, by the Ministry of Public Instruction in Italy. No doubt, however, much of the matter that would have been presented to the Congress will soon appear by other channels. MM. P. Caron and Ph. Sagnac, for example, will publish shortly their report on the present state of studies in France relating to modern and contemporary history.

A new Palæographical Society is in course of formation at London, to replace on larger bases the organization which was dissolved in 1895.

Professor Henry E. Bourne's *The Teaching of History and Civics in the Elementary and Secondary School* has just been published, by Longmans, Green and Co.

## ANCIENT HISTORY.

A *Bibliographie der Alten Geschichte*, by A. B. Hettler, is announced to appear soon. It is devoted especially to works that have been published since 1861 (Grossenhain, Baumert and Ronge).

The bibliography of "Theological and Semitic Literature for the Year 1900," prepared by W. Muss-Arnolt for the *American Journal of Theology* and the *American Journal of Semitic Languages and Literatures*, has been issued separately. It forms a pamphlet of 108 pages (University of Chicago Press).

The *Revue Historique*, in the number for May and June, resumes its "Bulletin" of French publications relating to the history of Greece. M. Gustave Fougères takes up this service at the point where M. Paul Girard felt compelled to renounce it in 1892. In the same number, also, Dr. Ad. Bauer gives a third installment of his review of similar publications in Germany and Austria for the years 1898 to 1900.

A history of charity, to be completed in five volumes, is being published by MM. Picard: *Histoire de la Charité*, by Léon Lallemand. The first volume relates to antiquity; the second, which is in the press, is to cover the first nine centuries of the Christian era.

We have received a small book entitled *Lessons from Greek Pottery*, by Professor J. H. Huddilston, of the University of Maine. It "represents an attempt to arouse a more general interest in the study of the Greek vases," on the idea that Greek ceramic art reveals, in a direct and effective manner, Hellenic personality. The second part of the book is designed to be of assistance even to the specialist, being given to "A Bibliography of Greek Ceramics" (New York, The Macmillan Company).

M. Maurice Croiset continues, in the *Revue de Synthèse Historique* for February, his review of work upon Greek literature, dealing this time with the drama, history and oratory.

Noteworthy articles in periodicals: H. H. Howorth, *The Later Rulers of Shurpula or Lagash*, Part II. (*English Historical Review*, April); Gaston Boissier, *Les Opinions politiques de Tacite* (*Revue des Deux Mondes*, March 15); Paul Allard, *La Religion de l'Empereur Julien* (*Revue des Questions Historiques*, April); N. Vaschide and H. Piéron, *La Croyance à la Valeur Prophétique du Rêve dans l'Orient Antique* (*Revue de Synthèse Historique*, October, December and February).

## MEDIEVAL HISTORY.

From a recent volume by C. Blume, S. J., *Repertorium Repertorii. Kritischer Wegweiser durch U. Chevalier's Repertorium Hymnologicum* (Leipzig, Reisland), it would appear that one should not venture to use Chevalier's hitherto much commended work without at least controlling it by the list of a thousand or so errors drawn up by Father Blume. It may be recalled in this connection that a supplement to Chevalier's work is now appearing in the *Analecta Bollandiana*.



Volume XVI. of the *Bibliothèque de la Faculté des Lettres de l'Université de Paris* is a contribution to early Byzantine history: "Constantin V, Empereur des Romains (740-745)," by A. Lombard, and with a preface by Ch. Diehl (Alcan).

The latest numbers, 134 and 135, of the *Bibliothèque de l'École des Hautes Études* are devoted respectively to "Les Marchands de l'Eau, Hanse Parisienne et Compagnie Française," by É. Picarda, and "La Diplomatie Carolingienne" from the treaty of Verdun to the death of Charles the Bald, by J. Calmette. This latter work especially recalls the labors and inspiration of the regretted Giry, as do also the articles, entitled "Étude sur les Lettres de Loup de Ferrières," now being published by another of his students, A. Levillain, in the *Bibliothèque de l'École des Chartes*. It may also be noted here that the fifth volume of the memoirs and documents published by the Society of the School of Charters is given to an *Examen critique des Chartes mérovingiennes et carolingiennes de l'Abbaye de Corbie*, by Léon Levillain (Paris, Picard).

The fourth number of Vol. XX. of the *Analecta Bollandiana* is devoted mainly to a catalogue of manuscripts of lives of the saints in the library of Douai: *Catalogus Codicum Hagiographicorum Latinorum Bibliothecae Publicae Duacensis*; and to twelve appendices to the same, in which some of the more important pieces are published.

M. Paul Sabatier has still farther signalized his devotion to the subject with which his name is most associated by founding an International Society for Franciscan Studies. This organization will have its seat at Assisi and will aim to provide a special library and to promote in other ways a systematic accumulation of knowledge upon St. Francis.

Apropos of the French translation of Mr. Lea's *History of the Inquisition in the Middle Ages*, M. Ch.-V. Langlois wrote for *La Grande Revue* (September, October, November, 1901) a short account of the Inquisition as it appears in the light of recent investigations. This account, remarkable for its clearness, is now issued in a small volume by the Société nouvelle de Librairie et d'Édition: *L'Inquisition d'après des Travaux Récents* (Paris, G. Bellais).

A biography of John Huss, including a picture of the time in which he lived, is being prepared by Count Lützow and will be published by Messrs. Dent. It will probably be a two-volume work.

The number of reproductions of important manuscripts is notably enriched by the publication of the Dresden illustrated codex of the Sachsenspiegel: *Die Dresdener Bilderhandschrift des Sachsenspiegels*, edited by Karl von Amira. The facsimile, which is being issued in two parts, consists of one hundred and eighty-four phototypic plates, and there are also six plates in colors. Later on the editor will devote a separate volume to a detailed commentary setting forth the importance of the manuscript to the history of law (Leipzig, Hiersemann).

Noteworthy articles in periodicals: Maurice Dumoulin, *Le Gouvernement de Théodoric, d'après les Œuvres d'Ennodius*, concluded (*Revue*

Historique, March and May) ; Eduard Sachau, *Über den zweiten Chalifen Omar. Ein Charakterbild aus der ältesten Geschichte des Islams* (Sitzungsberichte der königlich preussischen Akademie der Wissenschaften, March) ; Paulus de Loë, O. Pr., *De Vita et Scriptis B. Alberti Magni*, Part II. (Analecta Bollandiana, XX., 3) ; E. Beauvois, *La Chrétienté du Groenland au Moyen Age* (Revue des Questions Historiques, April).

#### MODERN HISTORY.

Changes of general interest are being made in the *Revue d'Histoire Moderne et Contemporaine*. With the last number (March-April) of its third annual volume this journal ceased to appear as a bimonthly. A supplementary number will be issued in July and distributed gratis to subscribers. Then, beginning in October, ten numbers a year will be sent out, on the 15th of each month, omitting August and September. Each number will contain one or two short articles of a critical-bibliographical order, aiming to set forth the state of knowledge on subjects in modern history and questions in regard to them that still remain to be treated ; and for the rest special emphasis will be placed upon reviews, analyses of periodicals, notes and news, and lists of new books. The subscription price remains the same : 18, 19 and 20 francs ; but an extra charge (for subscribers, one half of the published price) will be made for all volumes of the *Répertoire Méthodique* after the one for 1900, which is now in press. This excellent bibliographical aid, moreover, is to be issued hereafter in two fascicles, one being devoted to the history of literature, art and the sciences.

Mr. R. W. Seton Watson, in his Stanhope Essay on *Maximilian I. Holy Roman Emperor*, lays special stress on the attitude of Maximilian toward the Humanists of the German Renaissance (London, Constable). Another side of Renaissance history is treated by Mr. Lewis Einstein, in *The Italian Renaissance in England* (New York, The Macmillan Company).

The Department of History of the University of Pennsylvania has lately issued *Select Colloquies of Erasmus*, which is the first of the four volumes of "Sixteenth Century Classics" promised by Professor Merrick Whitcomb.

The Oxford University Press has brought out the first volume of a *History of the Peninsular War*, by C. W. C. Oman. The work is not designed to supersede Napier, but rather to set forth in a trustworthy manner the political side of that war.

The *Mémoires du Lieutenant-Général de Suremain*, relating to Sweden in the time of the Republic and the First Empire, have been published at Paris, through MM. Plon-Nourrit et Cie.

Mr. Edward Dicey, in a recently published work entitled *The Story of the Khedivate*, has traced the successive stages in the process by which Egypt was converted into a dependency of Great Britain (London, Rivingtons).



The more noteworthy recent books relating to contemporary history and problems include *The Mastery of the Pacific*, by Archibald R. Colquhoun, and *All the Russias*, by Henry Norman (London, Heinemann). There is also a specially opportune work on Africa: *The Beginning of South African History*, by Dr. George McCall Theal, which sets forth the changes that took place there from the earliest times down to 1652 (Unwin).

Noteworthy articles in periodicals: Albert Hyrvoix, *François I<sup>er</sup> et la première Guerre de Religion en Suisse (1529-1531)* (Revue des Questions Historiques, April); P. de Ségur, *Luxembourg et le Prince d'Orange* (Revue des Deux Mondes, April 1, 15, May 1); H. Hüffer, *Der Feldzug der Engländer und Russen in Holland im Herbst 1799 und die Stellung Preussens* (Historische Vierteljahrschrift, April).

#### GREAT BRITAIN AND IRELAND.

Messrs. Longmans, Green and Co. have announced an important new *History of England*, on the co-operative plan, under the editorship of the Rev. William Hunt and Dr. R. L. Poole. One American scholar, Professor George B. Adams, is among the contributors. He will write the second volume, extending from 1066 to 1216. The other contributors and their periods are as follows: Vol. I., to 1066, by Mr. Hodgkin; Vol. III., 1216 to 1337, by T. F. Tout; Vol. IV., to 1485, by C. W. C. Oman; Vol. V., to 1547, by H. A. L. Fisher; Vol. VI., to 1603, by A. L. Smith; Vol. VII., to 1660, by F. C. Montague; Vol. VIII., to 1702, by R. Lodge; Vol. IX., to 1760, by I. S. Leadam; Vol. X., to 1801, by William Hunt; Vol. XI., to 1837, by the Warden of Merton; and Vol. XII., to 1901, by G. W. Prothero.

The first number of the *Ancestor* fulfils very satisfactorily the promise of an authoritative periodical of genealogy and family history and antiquities. The numerous contributions of Mr. Round to this first number lead us to anticipate the publication here of much that will be of value to the student of English history in the wider sense; and this is confirmed by the important article which is contributed by Sir George Sitwell on the early uses of the term "gentlemen" and the rise of the distinct social class known by that name. Of special interest to American families are the articles on "The Rise of the Fitzgeralds" and "The Grosvenor Myth," and the extracts on family history here brought together from the reports of the Manuscripts Commission. A department of queries is proposed. The first number is a finely printed and illustrated large octavo, bound in boards.

The Selden Society breaks new ground in Vol. XV. of its publications: *Select Pleas, Starrs and Other Records from the Rolls of the Exchequer of the Jews, 1270-1284*, edited by J. M. Rigg, with an extensive introduction devoted to the history of the English Jewry until the expulsion. As is usual in the publications of this society, the text is accompanied by an English translation, and at the end of the volume are a glossary and indexes of subjects, persons and places. Also the Society announces, for

this year, the first volume of *Select Proceedings in the Star Chamber*, edited by I. S. Leadam; and for later years two volumes of *Year-Books of Edward II.*, edited by Professor Maitland.

The character, work and motives of Thomas Cromwell are treated by R. B. Merriman, an American student, in two volumes lately issued by the Clarendon Press: *Life and Letters of Thomas Cromwell*.

In *The English Chronicle Play*, Professor Felix E. Schelling, of the department of English literature in the University of Pennsylvania, presents a study in the popular historical literature environing Shakespeare; he attempts to tell the history of one part of the Elizabethan drama. Shakespeare, naturally, forms the center of the study (New York, The Macmillan Company).

We have received from Mr. G. L. Beer a reprint of his articles on "Cromwell's Policy in its Economic Aspects," which appeared recently in the *Political Science Quarterly* (Vol. XVI., 4, and Vol. XVII., 1). They aim to set forth the part of Cromwell in furthering the expansion of England's commercial and colonial empire.

The "Popish plot" of 1678 has received a full treatment from Catholic hands in the work by Joseph Spellmann, S. J., entitled *Die Blutzeugen aus den Tagen der Titus Oates-Verschwörung (1678-1681); ein Beitrag zur Kirchengeschichte Englands in 17 Jahrhundert* (Freiburg i. B., Herder).

*A History of the House of Douglas*, 2 vols., by Sir Herbert Maxwell, is of interest not only in itself, but also for the fact that it is the first of a proposed series of histories of those families which have principally contributed to the development of Great Britain and Ireland (London, Freemantle and Co.).

The second volume of Professor P. Hume Brown's *History of Scotland* was issued recently, covering the period from the accession of Mary Stuart to the Revolution of 1689. This noteworthy work will be completed in a third volume, now in press (Cambridge University Press).

The history of the Scot abroad appears to be on the order of the day. We note especially: C. A. Hanna, *The Scotch Irish, or the Scot in North Britain, North Ireland and North America*, 2 vols. (Putnam's); and Th. A. Fischer, *The Scots in Germany* (Edinburgh, Schulze and Co.).

The *Quarterly Review* for April contains an excellent article on S. R. Gardiner and J. R. Green: "Two Oxford Historians." Mention may also be made of appreciations of Mr. Gardiner in the *English Historical Review* for April, by Professor Powell, and the *Athenæum* of March 1; and of an article in the *Edinburgh Review* for April, on Green and his work.

Noteworthy articles in periodicals: J. B. Bury, *Tirechán's Memoir of St. Patrick* (*English Historical Review*, April); Eugène d'Eichthal, *Condition de la Classe Ouvrière en Angleterre (1828)*. *Notes prises par*

*Gustave d'Eichthal* (Revue Historique, May); R. Garnett, *The Authorship of Lord Durham's Canada Report* (English Historical Review, April).

#### FRANCE.

In *The Growth and Decline of the French Monarchy*, 2 vols., Dr. James Mackinnon traces the development of that institution until it reached its climax under Louis XIV., together with the effects of its exercise on the people; and then follows the process of decline, in order to elucidate the more immediate causes of the Revolution (New York, Longmans, Green and Co.).

An important contribution to general as well as local history is made by M. Charles de Lasteyrie in a monograph on one of the oldest and best known abbeys of France: *L'Abbaye de Saint-Martial de Limoges* (Paris, Picard).

In the *Revue de Synthèse Historique* for February M. Ch. Petit-Dutaillis reviews the work that has been done and the questions that remain to be treated in regard to the political history of France in the fourteenth and fifteenth centuries. His article is especially apropos in view of the recent appearance of seven of the eight fascicles of the Lavisse *Histoire de France* in which MM. Coville and Petit-Dutaillis deal with the period from 1328 to 1492. A similar article will be devoted to the social and moral history of the same period. The preceding number of the *Revue* contained a survey of this sort in regard to the industrial history of France from the Renaissance to the Revolution, by M. Albert Milhaud.

The report on the administration of the archives in France from 1890 to 1901, presented by M. Gustave Servois on the eve of retiring from the post of Director of Archives, will be of special value to many students of history, from the fact that it contains an *État des Inventaires des Archives Nationales, Départementales, Communales et Hospitalières*. This part of the report gives particularly a list of the indexes, inventories, and so on, already completed or in progress, that are now available for facilitating research.

The second volume of the *Histoire de la Représentation diplomatique de la France auprès des Cantons suisses, de leurs Confédérés et de leurs Alliés*, by Édouard Rott, lately issued at Paris by F. Alcan, covers the years 1559 to 1610.

A *Répertoire Historique et Biographique de la Gazette de France depuis l'Origine jusqu'à la Révolution (1631-1790)*, by the Marquis de Granges de Surgères, will be published in four quarto volumes, each of some four to five hundred double-column pages (Paris, H. Leclerc).

One of the most important subjects in the history of French law and justice has lately been treated by M. Gustave Ducoudray, in an elaborate work of over a thousand pages: *Les Origines du Parlement de Paris et la Justice aux XIII<sup>e</sup> et XIV<sup>e</sup> Siècles* (Paris, Hachette).

M. S. Charlety, of the University of Lyons, is performing notable services for the history of his region. Besides founding recently a local review which is meeting with cordial approval, *Revue d'Histoire de Lyon*, he is about to bring out a critical bibliography of the history of Lyons to 1789. This, moreover, is to be followed in about two years by a similar volume for the period since 1789.

Noteworthy articles in periodicals: J. M. Besse, *Les premiers Monastères de la Gaule Méridionale* (*Revue des Questions Historiques*, April); Thomas Hodgkin, *Richelieu and His Policy* (*English Historical Review*, January); Amédée Droin, *L'Expulsion des Jésuites sous Henri IV, leur Rappel*, concluded (*Revue d'Histoire Moderne et Contemporaine*, March); G. Hanotaux, *Richelieu Cardinal et premier Ministre* (*Revue des Deux Mondes*, March 1); René Moreux, *La Situation de la France dans le Levant à la Fin du XVIII<sup>e</sup> Siècle*, concluded (*Revue d'Histoire Moderne et Contemporaine*, March); Paul Mantoux, *Talleyrand en 1830* (*Revue Historique*, March).

#### ITALY, SPAIN.

Some progress has been made recently upon the collected works of two Italians prominent in the history of the "Risorgimento." The last of three volumes of *Carlo Cattaneo. Scritti Politici ed Epistolario Pubblicati da Gabriele Rosa e Jessie White Mario* (Florence, G. Barbèra) has appeared. These volumes supplement the seven volumes of *Cattaneo. Opere Edite ed Inedite Raccolte da Agostino Bertani* (Florence, Le-Monnier) and complete the publication of Cattaneo's collected works, as projected by his friends and disciples. However, some of his writings have been omitted from the collection, including his historically important *Dell'Insurrezione di Milano nell'1848 e delle Successiva Guerra*. Also the eighth volume of *Aurelio Saffi. Ricordi e Scritti Pubblicati per Cura del Municipio di Forlì* (Florence, G. Barbèra) has lately been published. It contains Saffi's writings during the years 1864-1866; other volumes containing his later writings will follow.

It is a pleasure to note that the fifty-eighth and final volume of the *Diarii di Marino Sanuto* is announced to appear shortly. This publication has been in progress nearly twenty-five years (Milan, Hoepli).

Professor Villari's account of Italy in the time of the invasions has been issued in English in two volumes: *The Barbarian Invasion of Italy* (London, Unwin). The price (32 shillings), however, is greatly above that of the modest little volume in Italian.

Noteworthy articles in periodicals: L. Schiaparelli, *Le Carte antiche dell'Archivio cabitolare de S. Pietro in Vaticano*, continued (*Archivio della R. Società Romana*, XXIV., 3-4); P. Egidi, *Le Croniche di Viterbo scritte da Frate Francesco d'Andrea*, concluded (*Ibid.*); G. Desdèvises du Dezert, *Le Conseil de Castille au XVIII<sup>e</sup> Siècle*, first article (*Revue Historique*, May).



## GERMANY, SWITZERLAND, AUSTRIA-HUNGARY.

The publications for 1901-1902 in the *Monumenta Germaniæ Historica* include, outside of Vol. XXVII. of the *Neues Archiv*, only P. de Winterfeld's edition of the works of Nun Hrothsvitha: *Hrothsvithæ Opera Omnia*. The committee has in press, however, eight quarto volumes, some of which are expected to be ready for distribution in the course of the year.

The ninth number in Dr. G. Steinhausen's first series of "Monographien zur deutschen Kulturgeschichte" deals with German schools before Pestalozzi: G. Reicke, *Lehrer und Unterrichtswesen in der deutschen Vergangenheit* (Leipzig, E. Diederichs). There are one hundred and thirty illustrations, out of the period from the 15th to the 18th century.

A two-volume work relating to the history of Hungary from 1526 to 1722 has lately been published at Paris: Albert Lefavre, *Les Magyars pendant la Domination Ottomane en Hongrie* (Perrin et Cie).

Several important publications of sources relating to the history of Switzerland have lately been made by one or another of the Swiss societies. Volume XX. of *Quellen zur Schweizer Geschichte*, issued under the auspices of the General Swiss Historical Society, contains over seven hundred pieces on the Swabian war: *Aktenstücke zur Geschichte des Schwabenkrieges, nebst einer Freiburger Chronik über die Ereignisse von 1499*, edited by A. Büchi (Basel, Basler Buch- und Antiquariatshandlung). The Historical Society of the Canton of Berne has completed, with the sixth volume, E. Bloesch's edition of *Die Berner-Chronik des Valerius Anshelm* (Bern, Wyss): this last volume relates to the years 1530-1536 and is of special interest for the history of the Swiss Reformation and the troubles between Bern and Savoy. The Society of Jurists has begun a new series relating to Swiss law with the first volume of F. E. Welti's *Stadtrechte* of Bern, from 1218 to 1539 (Aarau, Sauerländer). Also, the first number of a new series of "Publications" issued by the Society for Popular Traditions may be added to the list, since it is less a history than a collection of materials: *Geschichte der Reliquien in der Schweiz*, by E. A. Stückelberg (Zurich).

After studies extending over more than twenty years, J. Hunziker began the publication, in 1900, of a nine-volume work on the rural house in Switzerland: *Das Schweizerhaus nach seinen landschaftlichen Formen und seiner geschichtlichen Entwicklung*. Unfortunately death interrupted his labors the following year, while the second volume was in the press (Aarau, Sauerländer); but it is hoped that his plans may still be carried out.

Noteworthy articles in periodicals: G. Egelhaaf, *Gustav Adolf und die deutschen Reichsstädte* (Deutsche Rundschau, May and June); Wolfgang Michael, *Wallensteins Vertrag mit dem Kaiser im Jahre 1632* (Historische Zeitschrift, LXXXVIII., 3); Georg Kaufmann, *Ranke und die Beurteilung Friedrich Wilhelms IV.* (Historische Zeitschrift,

LXXXVIII., 3); F. Rachfahl, *Zur Beurteilung König Friedrich Wilhelms IV. und der Berliner Märzrevolution* (Historische Vierteljahrsschrift, April); R. Ehrenberg, *Entstehung und Bedeutung grosser Vermögen. IV. Die Brüder Siemens* (Deutsche Rundschau, April and May); L. Krauss, *L'Évolution du Pangermanisme au dix-neuvième Siècle et la Diplomatie* (Revue d'Histoire Diplomatique, July to April).

#### BELGIUM.

A brief review of the most recent historical work in Belgium is given in the "Courrier Belge," by M. A. Delescluse, in the *Revue des Questions Historiques* for April.

M. Michel Huisman has made a noteworthy contribution to the history of Belgium by his *La Belgique Commerciale sous l'Empereur Charles VI. La Compagnie d'Ostende* (Paris, Picard).

A considerable volume, by R. Dollot, is devoted to *Les Origines de la Neutralité de la Belgique et le Système de la Barrière (1609-1830)* (Paris, Alcan).

A Belgian Historical Institute has recently been established at Rome, on the model of the Prussian Institute.

#### AMERICA.

A study of the manuscripts in the Library of Congress, by C. H. Lincoln, is contributed to the March number of the *Annals of the American Academy of Political and Social Science*. While not a bibliography it is intended to serve as an introduction to the valuable collection it describes, and especially to the documents of interest to students of economic history.

The New Amsterdam Company has begun a series of reprints of early American travels and frontier studies with the publication of *Lewis and Clark's Travels* in three volumes after the edition of 1814, Mackenzie's *History of the Fur Trade and Voyages to the Arctic* in two volumes, and Cadwallader Colden's *History of the Five Indian Nations*.

A. C. McClurg announces a series of reprints of Americana to begin with *Hennepin's Travels*, a facsimile of the edition of 1698, edited by R. G. Thwaites, annotated and indexed. *The History of the Expedition of Captains Lewis and Clark*, with an introduction by James K. Hosmer is to appear in the fall.

An article of bibliographical interest for early Catholic Church history in the United States is the "Index of Historical Pamphlets in the Library of St. Charles Seminary, Overbrook, Pennsylvania," published in *Records of the American Catholic Historical Society* for March.

*The Bibliographer* for March reproduces a page from White's *First Century of Scandalous, Malignant Priests*, London, 1643, containing an account of the ejection from his living of Lawrence Washington, an ancestor of George Washington.

A valuable volume prepared in the office of the superintendent of documents at Washington has just been issued. The title is *Tables of*



and *Annotated Index to the Congressional Series of United States Public Documents*. It is the second part of a large volume which will be fully indexed. The first part is a list of documents of the first fourteen congresses. The third part will contain a list of the reports and miscellaneous publications of the departments and bureaus of the government.

In the April number of *American Catholic Historical Researches*, the editor, M. I. J. Griffin, continues his double task of hunting down and controverting unfounded claims of Catholic influence in American history, and of printing a large and miscellaneous collection of authentic documents relative to the early Catholic Church in America. Among the most interesting documents in the current number is a translation of the charge of the bishop of Quebec providing for the celebration of the evacuation of Quebec by Arnold's force on December 31, 1775.

The journal kept by Charles Porterfield from March 3, to July 23, 1776, while a prisoner in Quebec, appears in the *Publications of the Southern Historical Association* for March.

A limited edition of *The Journal of James Melvin, private soldier in Arnold's expedition against Quebec in 1775*, which has already been printed will be reissued by H. W. Bryant, of Portland, Maine, with annotations by A. A. Melvin.

A publication of interest to students of Revolutionary history is announced by C. E. Goodspeed of Boston, in *The Letters of Hugh, Earl Percy, from Boston and New York, 1775-1776*, edited by C. K. Bolton of the Boston Athenæum.

Two books in defence of Aaron Burr recently published are Charles Burr Todd's *The True Aaron Burr* (A. S. Barnes), which is based upon traditions of Burr handed down by his law pupils, and I. Jenkinson's *Aaron Burr, His Personal and Political Relations with Thomas Jefferson and Alexander Hamilton*, published by the author, Richmond, Indiana.

The letters published in the March, April and May *Bulletins of the Boston Public Library* belong with few exceptions to the second and third decades of the last century and are concerned very largely with the presidential campaign of 1828. There is one letter by Aaron Burr to Governor Alston dated November 15, 1815, denouncing Monroe with extreme bitterness and urging the nomination of Jackson in order to break down the Virginia dynasty; one by Monroe describes Jackson's career as military governor of Florida; two by G. M. Dallas describe the Jackson campaign in Pennsylvania; one by Clay discusses the results of Jackson's election.

The hundredth anniversary of the graduation of Daniel Webster from Dartmouth College was celebrated at Hanover last September. The addresses delivered at that time, with some account of the proceedings, have been published by the college in an attractive volume. The centennial oration was given by Samuel W. McCall. Professor Charles F. Richardson spoke on Webster's college life, and Professor John Kingsford on the development of the college since the Dartmouth College case.

Two exceedingly important papers were read before the Massachusetts Historical Society at the January meeting. The first was on John Quincy Adams and the Monroe Doctrine, by Worthington C. Ford. This number of the REVIEW contains a different presentation of the same subject by Mr. Ford, and the reader may thus judge of the importance of the material which has recently been brought to light from among the papers of the Adams family at Quincy. Mr. Charles Francis Adams likewise made a thorough examination of the papers at Quincy in search of material that should show the connection of John Quincy Adams with the Emancipation Proclamation, the only other presidential utterance which could be compared with the famous message of Monroe. The documentary matter here disclosed is of great significance and interest; in one way it does not connect Adams very intimately with Lincoln's famous state paper; but it shows that, time and again, with characteristic persistence and courage Adams asserted the authority of the National Government to abolish slavery under the war power, and that facing the real facts he foresaw with remarkable clearness what the end was likely to be. The two articles have been reprinted and put forth in a volume (Cambridge, John Wilson, 1902).

The papers read at the October meeting of the American Antiquarian Society have just been published in the *Proceedings* (Vol. XIV., New Series, Part 3). A paper by Senator George F. Hoar on Charles Allen of Worcester gives an interesting and valuable account of the division of the Whig party in Massachusetts after the annexation of Texas.

A number of reminiscences of Appomattox are published in the April *Century* under the following titles: "Lee at Appomattox," by E. P. Alexander, Brigadier General, C. S. A.; "The Last Days of Lee's Army," by C. Marshall, Colonel, C. S. A.; "Personal Recollections of Appomattox," by John Gibbons, Major General, U. S. A.; "Notes on the Surrender of Lee," by Major General W. Merritt, U. S. A.

Volume XXIX. of the *Southern History Society Papers* for 1901 is devoted entirely to brief papers on events of the Civil War from a strongly Confederate point of view. The longest is that containing the account of the celebration at New Orleans in June, 1901, of the ninety-third anniversary of the birth of Jefferson Davis. The most interesting, perhaps, is the "Report of the History Committee of the Camp of Confederate Veterans" at Petersburg, Virginia, October 25, 1901, by G. L. Christian, which proves "from federal testimony" that the Northern soldiers "violated every rule they had laid down for the government of their armies" and waged war "with a savage cruelty unknown in the history of civilization." The committee wishes to counteract the unhistorical assertions regarding the conduct of the war commonly found in Northern histories.

*Two Treaties of Paris and the Supreme Court* is the somewhat indecriptive title of a small book by Sidney Webster (New York, Harpers, 1901, pp. 133), dealing with the constitutional problems arising in the

recent insular cases. It is strongly and cleverly written and contains some suggestive historical matter, especially excerpts from Polk's diary which refer to the situation in California.

The New York Historical Society has presented a memorial to Mayor Low of New York, urging the printing of the minutes of the common council, 1675-1776, hitherto unpublished, and offering to co-operate in any practicable way. It also urges that the old town records of Jamaica, Flushing and Westchester be deposited in New York in order to insure their preservation.

The state historian of New York announces the forthcoming publication of the documents gathered by E. T. Corwin in Holland. These relate principally to the seventeenth century and will serve to supplement Brodhead's collection.

The different series running in the *Pennsylvania Magazine of History and Biography* are continued in the April number, including the letters to Margaret Shippen Arnold; Dean Tucker's Pamphlet with Franklin's annotations; the "Memoirs of Brigadier General Lacy," and the "Letters of Presidents of the United States and Ladies of the White House." Among the last are letters on political matters from Fillmore, Buchanan and Lincoln. The publication of a new Hessian diary is begun under the title "Popp's Journal, 1777-1783," translated by J. G. Rosengarten. With the diary, which is rather brief and fragmentary, are reproduced three military maps which were bound with the original manuscript. Another interesting reproduction is a facsimile of the *Philadelphische Zeitung*, No. I., May 6, 1832, printed by Franklin, the first German paper in America.

Mr. Morgan Poitiaux Robinson contributed to the April and May numbers of *The Oracle*, Richmond, Virginia, a thorough and interesting study of "The Evolution of the Mason and Dixon Line." The article has been reprinted and published as a separate pamphlet.

The Maryland Historical Society has just issued as number thirty-seven of its "Fund Publications," *Reverend Thomas Bray, his Life and Selected Works relating to Maryland*, edited by B. C. Steiner. The subject of this biography, eminent as founder of the "Society for the Promotion of Christian Knowledge" and the "Society for the Propagation of the Gospel," was particularly connected with Maryland, which he visited at the end of the seventeenth century for the purpose of securing the legal establishment of the English church in the colony. The letters and addresses here published relate largely to his efforts in this direction and are supplemented by some other contemporary documents bearing on the subject, the most interesting being an analysis of the membership of the Maryland assembly for the purpose of estimating the probable vote of the delegates on the establishment question.

The *Virginia Magazine of History and Biography* for April contains a number of contributions of unusual historical interest. In addition to further installments of the series of "Abridgments of Virginia Colo-

nial laws," the "Records of Henry County" and abstracts from the Sainsbury collection, the publication is begun of the "Proceedings of the Virginia Committee of Correspondence," accompanied by copious notes. The John Brown letters, deposited by order of Governor Wise but lost for over thirty years, are announced for publication. They were discovered recently by W. W. Scott, the state librarian, who contributes an introductory article upon them to this number of the magazine.

The facsimile reprint of Hariot's "Briefe and True Report of the New Found Land of Virginia," begun in the first number of the *Bibliographer*, is completed in the February and March issues.

The rare tract called *The Discoveries of John Lederer in Three Several Marches from Virginia to the West of Carolina*, first published in London in 1672, has been reprinted for George P. Humphrey, Rochester, New York.

"Literature for the Study of the Colonial History of South Carolina" is surveyed by W. R. Smith in the April number of the new *South Atlantic Quarterly*.

Among the many South Carolina statesmen who have been perhaps unduly overshadowed by the fame of Calhoun, one of the ablest was Hugh Legaré, prominent during the first half of the last century as a states' rights leader, anti-nullifier and Whig. His career is described in the January and April numbers of the *Sewanee Review* by B. J. Ramage.

The *American Historical Magazine*, published hitherto by the historical department of the Peabody Normal College at Nashville, Tennessee, will hereafter be the organ of the Tennessee Historical Society, and the editorship, hitherto in the hands of W. R. Garrett, will be assumed by A. V. Goodpasture and a committee of the society. During the past year this magazine has printed a quantity of material of value for western history including "Records of Washington County, 1777-1782"; "Letters from General Coffee, 1813-1815"; "Papers of General Daniel Smith, 1783-1817"; and "Indian Treaties of Tennessee" by J. M. Lea. In the number for April, the publication is begun of the "Records of the Cumberland Association," from January, 1783, in the shape of Minutes of the Committee of the Association. This committee practically acted as a judicial body, and the minutes are, therefore, of the highest interest from the light they throw on frontier conditions.

In the *Ohio Archæological and Historical Quarterly* for April, E. O. Randall writes on "Ohio in Early History and during the Revolution"; C. D. Laylin contributes an interesting article, with a map, upon the "Firelands Grant," comprising the western end of the Connecticut Reserve; and C. E. Slocum and R. W. Macfarland call attention to erroneous statements concerning topography in recent books or articles on early Ohio history.

Mr. W. E. Henry, state librarian of Indiana, has compiled and printed privately the state platforms of the two dominant political parties

in Indiana, 1850-1900 (Indianapolis, 1902). The value of the book is enhanced by a subject index.

A year ago an act of the Alabama legislature established "The Alabama State Department of Archives and History" charging it with the custody of the archives, the collection of historical material, the publication of state official records and the encouragement of historical research. This department, according to the *Library Journal* of March, is now being organized by the director, Thomas M. Owen. His plans, which deserve the hearty approval of all and especial support from the state, include the arrangement and indexing of the state archives, the collection of all printed and manuscript historical material relating to Alabama, the development of a museum, the compilation of the Alabama war records and the publication of the report of the Alabama history commission.

Volumes IV. and V. of the *Publications of the Mississippi Historical Society* contain a number of valuable and interesting papers. Possibly special mention should be made of "The First Struggle over Secession in Mississippi" by James W. Garner; "Reconstruction in East and Southeast Mississippi" by Captain W. H. Hardy; "Mississippi's Constitution and Statutes in Reference to Freedmen and their Alleged Relation to the Reconstruction Acts and War Amendments" by A. H. Stone. Volume V. is largely taken up with the report of the Mississippi historical commission, dealing chiefly with manuscripts, papers and documents relating to the state.

Under the title "The Mines of Spain," Judge Oliver P. Shiras contributes to the April number of the *Annals of Iowa* an article on the Dubuque land claim with a facsimile of an early map. Another article of interest is "Chapters in Iowa's Financial History," by F. I. Herriott.

The leading article in the April *Quarterly of the Texas State Historical Association* is a careful study, from the sources, of "The Quarrel between Governor Smith and the Provisional Government of the Republic," by W. R. Smith. The article ascribes to this quarrel the disasters which befell the Texans at the opening of the campaign of 1836.

*In the Footprints of the Padres* by Charles Warren Stoddard is the title of a book some portion of which may appeal to those interested in the American settlement of California. It consists chiefly of reminiscences of a trip across the isthmus in 1855 and of the conditions in San Francisco in the early days (San Francisco, Robertson, 1902).

*The Quarterly of the Oregon Historical Society* for March contains several important articles on Oregon history, among them "The Social Evolution of Oregon" by James R. Robertson; "The Political History of Oregon from 1865 to 1876," Part II., by Wm. D. Fenton.

Noteworthy articles in periodicals: F. N. Thorpe, *What is a Constitutional History of the United States?* (*Annals of the American Academy*, March); E. E. Merriam, *The Political Theory of Jefferson* (*Political Science Quarterly*, March); D. C. Barrett, *The Supposed Necessity of a*

*Legal Tender Paper* (Quarterly Journal of Economics, May); F. C. Cook, *Oliver Ellsworth and Federation* (Atlantic Monthly, April); Henrietta Dana Skinner, *New Light on Revolutionary Diplomacy* (Harpers, April); T. W. Page, *The Earlier Commercial Policy of the United States* (Journal of Political Economy, March); R. E. Fast, *A Southern Experiment in Township Government* (Sewanee Review, April); F. W. Moore, *Louisiana Politics from 1862-1866* (South Atlantic Quarterly, April); E. E. Sparks, *Formative Incidents in American Diplomacy* (Chautauquan, May and June).



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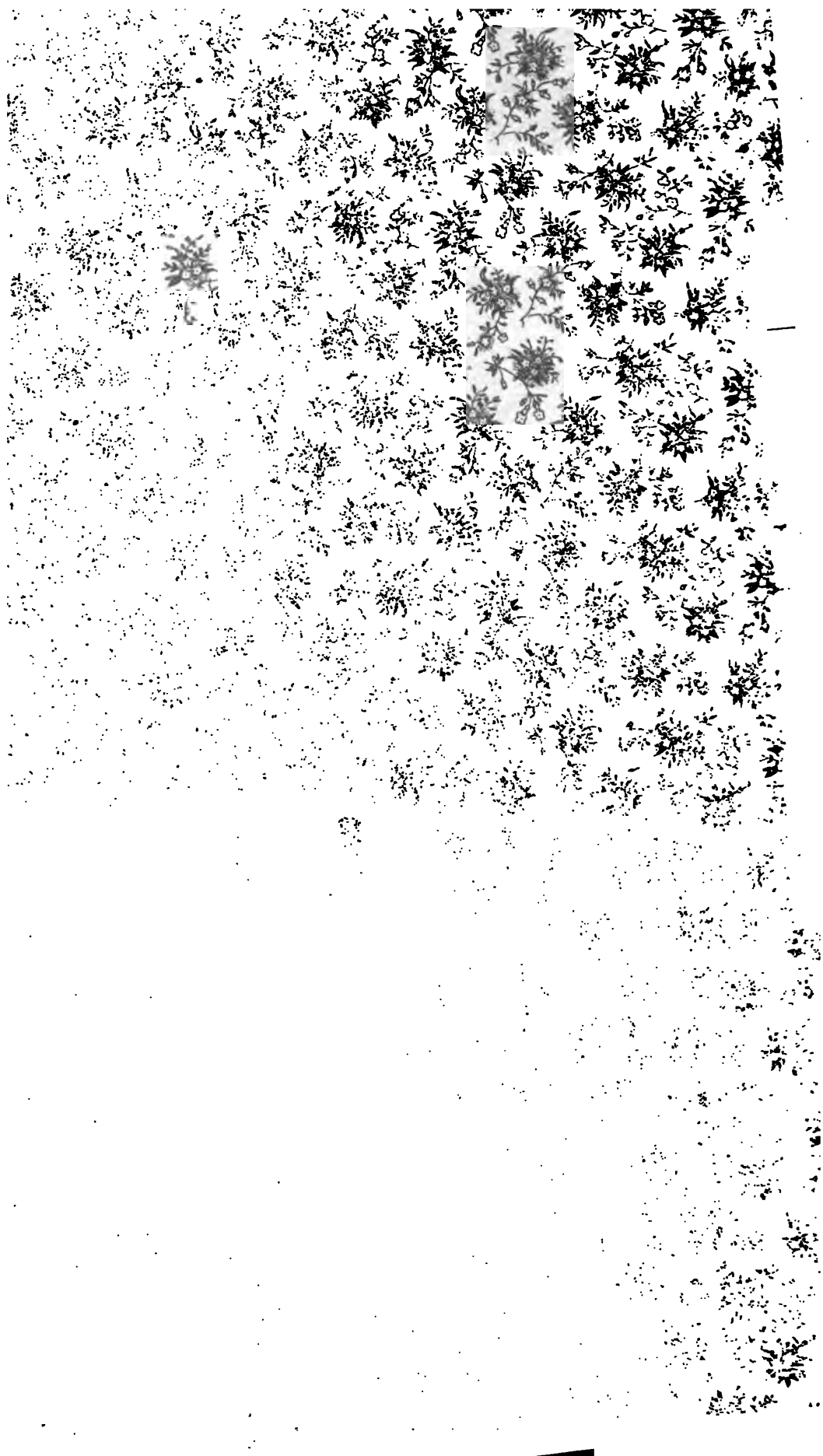












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